UNITED
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Security Council

Distr.
GENERAL

S/1997/450
12 June 1997

ORIGINAL: ENGLISH

LETTER DATED 12 JUNE 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 5 June 1997 (S/1997/449) concerning your decision to appoint Mr. Liviu Bota (Romania) as your resident Special Representative for Georgia to succeed your current Special Envoy for Georgia Ambassador Edouard Brunner of Switzerland with effect from 1 July 1997 has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter.

(Signed) Sergey LAVROV
President of the Security Council

97-15930 (E) 120697

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Security Council

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GENERAL

S/1997/451
12 June 1997

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

1. Further to the notes by the President of the Security Council dated 30 June 1993 (S/26015), 27 July 1993 (S/26176), 31 August 1993 (S/26389), 29 November 1993 (S/26812), 28 February 1994 (S/1994/230), 23 March 1994 (S/1994/329), 28 July 1994 (S/1994/896), 29 March 1995 (S/1995/234), 31 May 1995 (S/1995/438), 31 May 1995 (S/1995/440), 24 January 1996 (S/1996/54), 24 January 1996 (S/1996/55), 30 July 1996 (S/1996/603) and 29 August 1996 (S/1996/704) concerning the Council's documentation and other procedural questions, the President of the Council wishes to state that all members of the Council have indicated their agreement with the following.

2. The members of the Security Council have reviewed the format of the annual report of the Council to the General Assembly, which is submitted by the Council in accordance with Article 24, paragraph 3, of the Charter of the United Nations. While the report covering the period from 16 June 1996 to 15 June 1997 will have to be in the same format as for the recently preceding years, the report of the Council for future years will be changed, taking into account views expressed on the existing format.

3. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

(a) The Council should retain the existing practice whereby the annual report is submitted to the General Assembly in a single volume covering the period from 16 June of one year to 15 June of the next year;

(b) The Secretariat should submit the draft report to the members of the Council no later than 30 August immediately following the period covered by the report, so that the report may be adopted by the Council in time for consideration by the General Assembly during the main part of its regular session and where possible before the beginning of the general debate of the Assembly.

4. The report of the Security Council will include the following sections:

(a) In relation to each subject dealt with by the Council:

97-16017 (E) 120697

(i) As background, a descriptive list of the decisions, resolutions and presidential statements of the Council for the one-year period preceding the period covered by the report;

(ii) For the period covered by the report, a description in chronological order of the consideration by the Council of the matter in question and of actions taken by the Council on that item, including descriptions of the decisions, resolutions and presidential statements, and a list of communications received by the Council and reports of the Secretary-General;

(iii) Factual data, including dates of formal meetings and informal consultations at which a subject was discussed;

(b) Information regarding the work of the subsidiary organs of the Council, including the sanctions committees;

(c) Information regarding the documentation and working methods and procedures of the Council;

(d) Matters brought to the attention of the Council but not discussed by it during the period covered;

(e) Appendices as in the present report, but also:

(i) The full text of all resolutions, decisions and presidential statements adopted or voted upon by the Council during the year in question;

(ii) Information about meetings with troop-contributing countries.

5. There will also be attached, as an addendum to the report, brief assessments on the work of the Security Council, which representatives who have completed their functions as President of the Security Council may wish to prepare, under their own responsibility and following consultations with members of the Council for the month during which they presided and which should not be considered as representing the views of the Council.

The following disclaimer will appear at the beginning of the addendum containing the above-mentioned assessments:

> The attachment of the assessments of former Presidents on the work of the Security Council as an addendum to the report is intended to have an informative purpose and should not necessarily be considered as representing the views of the Security Council.

6. The members of the Security Council will continue to consider and to review ways to improve the Council's documentation and procedure, including the provision of special reports as referred to in Article 24, paragraph 3, of the Charter of the United Nations.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/452
12 June 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 11 June 1997 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the practice of the representative of the United States in the Security Council Committee established by resolution 661 (1990) of obstructing the implementation of resolution 986 (1995) and delaying the delivery of supplies of food, medicine and other humanitarian items of a civilian nature to the Iraqi people.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

97-16051 (E) 130697 130697

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Annex

Letter dated 11 June 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to call your attention to the fact that, during the initial 180-day period the Memorandum of Understanding has been in effect, the representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has deliberately obstructed and delayed the processing of contracts in the Committee for odious political reasons inimical to the people of Iraq. He has done so by raising contrived and unwarranted objections in order to place on hold or block many of the contracts submitted to the Committee. Contracts placed on hold and blocked have thus accumulated, and the streamlining of the approval of contracts and the delivery of goods to the Iraqi people have been disrupted. As at 10 June 1997, 669 contracts had been submitted to the secretariat of the Committee, the Committee had approved only 409 and the number placed on hold by the United States had reached 166. This has caused delay in the delivery of goods to Iraq for five consecutive months over the six-month period established by resolution 986 (1995) for the sale of sufficient Iraqi petroleum to produce a sum of two billion dollars and for the purchase of goods and their distribution to the people of Iraq.

Any fair-minded person reviewing the objections raised by the representative of the United States in order to place on hold or block contracts would find that they are not only contrived and unwarranted but are also characterized by arbitrariness and an irrationality that logic must reject. During May 1997, for example, the representative of the United States placed on hold eight contracts - submitted by Belgium, Germany, China, France, Turkey and Tunisia - in order, allegedly, to seek clarification on how the goods would be monitored before all the observers were in place and at work. It will be clear to you that this pretext is illogical and unacceptable, inasmuch as it was advanced by the United States representative when the Memorandum of Understanding had already been in effect for five months and when 139 United Nations observers had already arrived. These observers enjoy freedom of movement on the ground in performing their tasks and also benefit from the privileges and immunities of the United Nations, as stipulated in the Memorandum of Understanding. They have been provided with a complete communications system under the Office of the Coordinator of the United Nations Humanitarian Programme in Iraq, and they are using Habbaniyah airfield for unrestricted travel to and from the country. There are no obstacles to their movements in monitoring the equitable character of distribution and in assessing the quality of the goods imported. These facts have been confirmed by Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, in his report to the Security Council following the field visit he made to Iraq from 3 to 9 May 1997 for the purpose of monitoring the implementation of resolution 986 (1995) in the country and also by your own 2 June 1997 report to the Security Council pursuant to paragraph 11 of resolution 986 (1995) (S/1997/419).

The United States representative has not been content with raising illogical objections to contracts but also adopts a blatantly arbitrary position in placing on hold and blocking many contracts without providing any reason at all for doing so. These are contracts for medicines, food and other

humanitarian items of a civilian character that are urgently needed by the Iraqi people, which is suffering because of the maintenance of a comprehensive embargo against it for seven consecutive years. The failure to provide any reason for placing on hold or blocking such contracts is to be interpreted not only as arbitrariness but also as contempt for the duties and responsibilities of the other members of the Security Council, permanent or otherwise. As of May 1997, the United States representative had placed on hold 72 contracts for medicines and food, including, merely by way of example, those numbered as follows: 70, 80, 97, 123, 162, 204, 209, 147, 148, 535, 365, 127, 145, 180, 187, 188, 194, 195, 196, 197, 207, 208, 211, 214, 218, 325, 354, 357, 358, 294, 198, 199, 439, 432, 433, 473, 505, 205, 237, 150, 151, 152, 183, 166, 167, 243, 489, 490, 491, 492 and 182.

Contracts for foodstuffs that the United States representative deliberately placed on hold for long periods of time before a decision was reached include those numbered as follows: 44 (with Viet Nam for rice); 125 (with Austria for rice); 45 (with Austria for sugar); 405 (with the Russian Federation for sugar); 8 (with Jordan for Ceylon tea); 9 (with Jordan for Ceylon tea); 132 (with the Russian Federation for infant formula); 157 (with Turkey for plastic flour bags); 217 (with Belgium for dockside cereal-handling equipment); and 377 (with Viet Nam for rice).

The United States representative also blocked a number of contracts after placing them on hold for various periods of time. They include, by way of example, the contracts numbered as follows: 20 (with Viet Nam for rice); 21 (with the Sudan for sugar and beans); 24 (with Jordan for cooking oil); 25 (with Jordan for detergent); 26 (with Jordan for soap); 30 (with Jordan for sugar); 66 (with Jordan for flour); 351 (spare parts for trucks); 426 (with China for spare parts for tractors); 434 (with Jordan for electrical cable); 411 (with China for batteries); 482 (with China for tyres); 566 (with Poland for spare parts for diesel engines); and 312 (with Italy for sewer-cleaning vehicles).

The representative of the United States has also placed on hold a significant number of contracts for medical supplies, more than 40 of them, on the grounds that the items included in these contracts do not appear in the categorized list annexed to the purchase and distribution plan. Upon scrutiny, it was found that the items were indeed included in the categorized list. They include, by way of example, the contracts numbered as follows: 369 (with Smith Kline, United Kingdom), 170 (with Smith Kline, United Kingdom), 202 (with JPM, Jordan), 227 (with Smith Kline, United Kingdom), 236 (with Roussel, France), 238 (with Roussel, France), 306 (with Merck, United Kingdom), 212 (with Hoechst Marientald), 335 (with B. Braun), 336 (with B. Braun), 387 (with Zeneca), 356 (with Ciba Gengu), 359 (with Ciba Gengu), 231 (with PANIM), 242 (with ROOM), 143 (with APM), 222 (with FAKO), 389 (with Amersham), 390 (with Amersham), 431 (with Jordam Medicane), 457 (with B. Braun), 300 (with MISK), 309 (with ZN), 121 (with Novatis), 537 (with Biomenieuk), 569 (with Septodent), 369 (with Biotest), 594 (with Cilag) and 318 (with Vremya).

The representative of the United States in the 661 Committee also placed on hold the medical contracts numbered 252, 253, 391, 428, 429 and 553 on the grounds that they included free merchandise or free medical samples. The use of this pretext only confirms that the United States of America is pursuing a policy of impeding the smooth implementation of the Memorandum of Understanding

and disrupting the processing of contracts in the 661 Committee. The inclusion of free merchandise and medical samples in contracts for medicines is a standard commercial practice in all countries of the world. Pharmaceutical companies distribute them to physicians in order to introduce their products and to provide information on a particular medication and on its ingredients and uses as well as other details of a scientific nature that are useful in the treatment of patients. There is no doctor's office in the world, not even in the United States, that is without medical samples of this kind, and the doctor usually gives them to his patients free of charge. The question of free merchandise and free medical samples has, moreover, been discussed by the Iraqi Ministry of Health, the sectoral and geographical observation units, and the Office of the World Health Organization in Baghdad, and agreement has been reached on a formula for their distribution in accordance with the same principles as those governing the distribution of other medicines to all governorates of Iraq, including the three northern governorates, while taking account of population figures and the number of doctors in each governorate.

The cases we have cited and the examples we have given above confirm in a manner that leaves no room for doubt that the major and basic cause of the disruption in the implementation of resolution 986 (1995) and the delay in the delivery of supplies of food, medicine and other humanitarian items of a civilian character to Iraq in accordance with the resolution and the Memorandum of Understanding between the Secretariat of the United Nations and the Government of Iraq of 20 May 1996 has been the obstruction and retardation of the processing of contracts in the 661 Committee by the representative of the United States in the Committee for reasons that are obvious to all. This places the major responsibility for this great and deliberate dilatoriness squarely on the shoulders of the Government of the United States of America, which is using the mechanism of the 661 Committee as a political instrument against Iraq on grounds that are in all cases no more than unacceptable and arbitrary pretexts.

Given your responsibilities in connection with the implementation of Security Council resolutions 986 (1995) and 1111 (1997) and of the Memorandum of Understanding between the Secretariat of the United Nations and the Government of Iraq of 20 March 1996, we call upon you to urge the Government of the United States to desist from using the 661 Committee to obstruct the processing of contracts by using flimsy and unconvincing arguments and pretexts in order to achieve preconceived political objectives that have the purpose of prolonging the suffering of the Iraqi people when it has already been subjected to a comprehensive embargo for seven years.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

Note

The names of companies, given in the Roman alphabet in the Arabic text, are reproduced without change.

UNITED
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General Assembly
Security Council

Government of Israel and the Palestine Liberation Organization. It also makes a mockery of the principles embodied in the mutual recognition between the two sides.

Both the above-mentioned plan and the continuation of illegal Israeli actions in the Occupied Palestinian Territory, including Jerusalem, represent another direct challenge to the international community and a gross violation of General Assembly resolution ES-10/2, adopted at its tenth emergency special session, on 25 April 1997.

At this time, I wish to take the opportunity to refer to the letter of the Israeli Chargé d'affaires a.i., dated 2 June 1997 (A/51/[illegible]), which represents yet another example of repeated Israeli campaigns aimed at diverting attention from the actual Israeli policies and practices that have caused the current dangerous crisis facing the Middle East peace process.

With regard to the question of Palestine, the issue of land cannot be considered in isolation from the issue of Israeli settler colonialism, which has been waged in the Occupied Palestinian Territory, a major dimension of which is the illegal confiscation of lands [illegible] non-Palestinian ownership of land as a tool [illegible] Palestinian sovereignty and not as a matter of normal private ownership. It should also be noted that since its establishment Israel has instituted all types of practical and legal arrangements to prevent land ownership by non-Jews in Israel.

In this context, the Palestinian Authority [illegible] implementation of existing laws in the Palestinian territory to prevent illegal land sales and transfers and, at the same time, will continue to take the needed measures to inhibit any attempt by persons to take the law into their own hands.

I would be grateful if you would arrange for the text of this present letter to be circulated as an official document of the fifty-first session of the General Assembly, under agenda items 33, 35 and 39, and of the Security Council.

(Signed) [illegible]
Permanent Observer of the Palestine
to the United Nations

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Security Council

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S/1997/454
13 June 1997

ORIGINAL: ENGLISH

LETTER DATED 13 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the text of a letter dated 13 June 1997 from the Deputy Prime Minister and Minister for Foreign Affaires of the Republic of Croatia, Mr. Mate Granić, addressed to you (annex I), as well as a report on the results achieved to date in peaceful reintegration and restoration of the constitutional and legal order of the Republic of Croatia in the territories of the counties of Osijek-Baranja and Vukovar-Srijem currently administered by United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) (annex II).

I should kindly request your assistance in circulating the present letter and its annexes as a document of the Security Council.

(Signed) Ivan ŠIMONOVIĆ
Ambassador
Permanent Representative

97-16149 (E) 160697 170697

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Annex I

Letter dated 13 June 1997 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

In view of the forthcoming deliberations by the Security Council of the United Nations on the report of the Secretary-General on the situation in the Croatian Danube area and the future engagement and the presence of the United Nations therein, I have the honour to express herewith the views of the Government of the Republic of Croatia.

The peaceful reintegration of the Croatian Danube area has reached a stage that is final and irrevocable. Its positive effects will be far-reaching for the territorial integrity of the Republic of Croatia, but equally for the overall peace process and stability in the wider region. Its results, which several months ago seemed uncertain, have now confirmed that the political option to attain by peaceful means the reintegration of the last remaining part of Croatian territory not yet under its full control has been fully justified and as such it has proven to be of historic importance.

In this, the cooperation of the international community and the performance of UNTAES, notwithstanding occasional obstacles, have been critical to the success of this United Nations mission. We commend its Transitional Administrator, Ambassador Jacques-Paul Klein and his numerous collaborators, both the courageous military and the dedicated civilian staff. The success of this mission, in fulfilment of the mandate the Security Council has entrusted them with, will also serve broader United Nations objectives and interests.

The military component of UNTAES, headed by Belgian Generals Josef Schoups and Willy Hanset, also deserves the highest praise and special recognition. The main task of the military component, mandated in paragraph 10 (a) of resolution 1037 (1996) of 15 January 1996 was to demilitarize the region. As a prerequisite for all other endeavours, this task was successfully completed on 19 June 1996. The civilian component of UNTAES, which is mandated in paragraph 11 of resolution 1037 (1996), has completed most of its tasks in a timely manner and with high efficiency, aided, when required, by the relevant Croatian authorities.

Allow me, therefore, to reiterate only the most important contributions that the Government of Croatia has made so far to these achievements. The Letter of Intent (S/1997/27, annex), which was critical in the process, created the necessary conditions for the successful holding of elections. Their conduct has been assessed as fair and democratic by international observers, including the Security Council, and the results have proven positive for the political process in the region. The establishment and constitution of the elected local authorities was completed on schedule. The Croatian President and the Government have also proceeded to appoint Serb representatives to the House of Counties of the Parliament and five Assistant Ministers in important government ministries.

Equally, progress was achieved in the field of the reintegration of legal system and commerce: public enterprises are reintegrating their affiliates in the region and employing hundreds of local staff; since 1 June, Croatian legislation is being applied throughout the entire region. The education system is also being integrated, with subjects of special interest for the Serbian community. The Croatian currency has also been fully introduced in the payment system and commerce. Citizenship documents have been issued to over 140,000 persons. The number of documents granted is far above all expectations and, in the view of the Government, this number should be the primary measure of the success of the UNTAES mandate and the best reflection of the intentions of the Government of Croatia vis-à-vis its citizens, including those who have taken up arms against Croatia.

The Transitional Police Force is fully operational in the region; Croatia has offered full employment to 827 Serbian policeman of the Force. The national composition of the police has also been fully agreed upon.

As a further gesture to those who took up arms against Croatia or became affiliated with those who did so, the President of Croatia has on numerous occasions made public overtures of forgiveness and reconciliation.

All these are major steps, consistent and occasionally beyond the commitments the Government made in the Basic Agreement, which have brought about significant changes in the region and prospects for the future. At the same time, the plight of nearly 96,000 non-Serb displaced persons and refugees after six years of hardship, 2,300 missing persons, exhumation of mass graves and major reconstruction efforts in the entire area have also been the responsibility of the Government of Croatia, although of somewhat lesser interest to the international community.

Consistent with the Agreement on the Procedures for Return, signed by Croatia, UNTAES and the United Nations High Commissioner for Refugees (UNHCR), the foundations for the return of refugees and displaced persons from and into the Danube area and other parts of Croatia have been established. The return process will include all those who have so far registered their intent and should be organized in conditions of security and respect for the established procedure, in order to avoid the regrettable incidents of the past. With regard to the returns so far, one should not overlook the fact that Croatia is the only State or party in the region that has recorded a positive net flow of persons who took up arms against it into the territory it controls.

In view of the obvious success of UNTAES so far and the completion of major segments of its mandate, the Government believes that the follow-on United Nations mission in the region should be restructured by taking into account these new realities. The military component of UNTAES should commence a progressive process of disengagement as at 16 July 1997, to be completed within a reasonably short period of time.

The civilian component of the mission should gradually diminish its executive powers and transfer them to the elected authorities. This requires substantial restructuring, with the principal tasks of confidence-building and economic assistance. The Transitional Administrator has on numerous occasions

emphasized the importance of this as a key to the success of the mission. The future civilian component may also provide support and assistance to the new local bodies, monitor and assist in the return of displaced persons and monitor the state of human rights in the region.

The follow-on mission should also facilitate the phasing-in of the Organization for Security and Cooperation in Europe (OSCE) monitoring mission in Croatia. The latter should be expanded and strengthened as soon as practicable, in order to take over the role of monitoring in the region completely on 15 January 1998, when the United Nations mandate in the region ends. The negotiations with OSCE in this respect are continuing and my Government expects them to conclude successfully by the end of June 1997.

At its session of 12 June 1997, my Government decided that the mandate of UNTAES in its present form needed to be concluded on 15 July 1997.

Croatia is agreeable to a future limited and reconstructed presence of United Nations in the Croatian Danube region, as stipulated by the Basic Agreement, and in accordance with resolutions 1037 (1996) and 1079 (1996) of 15 November 1996. The mandate of the follow-on mission should be to complete the transfer of the executive authority from the Transitional Administration to the legally elected authorities immediately after 15 July. The Government attaches greatest importance to the timely, full and unhindered functioning of the elected local authorities in the region. The completion of the reintegration process can best be achieved by respecting the democratic will of the people in the region and showing confidence in the decisions of their elected bodies.

Reiterating our confidence and positive assessment of the results of the reintegration process, which is of vital Croatian national and wider international interest, on behalf of the Government of the Republic of Croatia, I wish to express our expectation that these views will be fully respected in the forthcoming discussions in the Security Council.

(Signed) Mate GRANIĆ

Annex II

Report on the results achieved to date in peaceful reintegration and restoration of the constitutional and legal order of the Republic of Croatia in the territories of the counties of Osijek-Baranja and Vukovar-Srijem, currently administered by the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium

By the Decision of President of the Republic of 30 April 1997, a State Commission was established for the restoration of the constitutional and legal order of the Republic of Croatia in the territories of the Counties of Osijek-Baranya and Vukovar-Srijem, currently under the UNTAES administration, with a mandate to provide guidance to, adjust and supervise the activities of the state authorities and local, regional and municipal bodies in the restoration of the Croatian constitutional and legal order and the overall social and economic systems in the region, in conjunction with the Transitional UNTAES Administrator. Pursuant to its mandate, the State Commission has compiled this Report on the results achieved to date in peaceful reintegration and restoration of the constitutional and legal order in the Croatian Danube region, as follows:

I. RESTORATION OF THE CONSTITUTIONAL AND ECONOMIC SYSTEMS

1. REASSERTION OF AUTHORITY

The elections for the House of Counties of the Croatian Parliament and for representative bodies of local administration and local government units (counties, towns and municipalities) were held on 13 April 1997 for the first time in the entire territory of the Republic of Croatia. Following these elections, regional assemblies have been constituted for the Counties of Osijek-Baranya and Vukovar-Srijem, city councils and municipal assemblies have been constituted in these Counties, and the presidents of municipal assemblies and city councils, along with the municipal mayors and mayors of the towns of Vukovar, Beli Manastir and Ilok have been elected.

Through such effective electoral system a total of 241 Serbian nationals have been delegated to the representative bodies of the local government units in the territory of the Croatian Danube region: 109 in the territory of the Osijek-Baranya County and 132 in the territory of the Vukovar-Srijem County. The number of ethnic Serbs in the municipal authorities will be commensurate to the outcome of the elections, whereas the number of the required civil servants and employees in the local government units will be subsequently established as required.

Meanwhile, President of the Republic has nominated two deputies of the Serbian national community to the House of Counties of the Croatian Parliament, four ethnic Serbs have been appointed as Assistant Ministers at the Ministries of Education, Culture, Justice and the Interior, while one ethnic Serb has become a high official at the Ministry of Reconstruction

and Development.

2. INTRODUCTION OF THE KUNA AND ESTABLISHMENT OF DOMESTIC PAYMENT OPERATIONS

As of 19 May 1997, Kuna is the only legal means of payment in the entire territory of the Republic of Croatia, and domestic payment operations have been established. In the period from 19 to 21 May 1997, 1075 citizens exchanged YUM money for the Kunas at 32 exchange offices (25 post-offices and 7 branches of the Public Accounting and Auditing Service), i.e., at 65 posts throughout the region. 907 companies filed a request for the conversion. The established domestic payment operations are regular inside the region as well as in dealings with other regions of Croatia.

3. REINTEGRATION OF THE POLICE FORCES

a) Transitional Police Forces

Croatian police forces have been incorporated in the Transitional Police Forces (TPF). The border-crossing with Hungary is under surveillance of the Croatian TPF policemen, whereas all the other check-points (with FRY) are manned by the joint TPF patrols.
Further to the agreement reached with UNTAES, job positions in the police forces have been offered to 827 Serbian TPF policemen who had neither been listed as war criminals nor recorded as perpetrators of criminal acts. Job contracts (effective from 1 June 1997) remain open for signature for 10 days. The proportions of nationalities in the Croatian police forces have also been agreed, and preparatory actions were taken for an integral functioning of the police stations, in line with the Croatian Police Department organizational structure. Under the provisions of the Memorandum of Understanding signed by UNTAES and the Ministry of the Interior, the commanding officer shall be a Croat, while the one in charge of the Sector North (Baranya - Police Administration of the Osijek-Baranya County) shall be a Serb national.

As of 1 June 1997, Croatian legislation and regulations apply to the whole region, hence all police units have been supplied with statutory provisions and appropriate forms.

b) Administrative procedures - issuing of Croatian documents

Between 20 August 1996 and 2 June 1997 the administrative offices in the Croatian Danube region received

- 145,696 applications for issuing certificates of citizenship,
- 45,006 applications to recognize or determine Croatian citizenship,
- 114,231 applications for issuing identity cards,
- 105,660 applications for issuing passports, and

- 37,774 applications for issuing certificates of birth or other vital statistics data

During that period

- 143,438 or 98% requests for issuing certificates of citizenship,
- 44,700 or 99.3% requests for citizenship,
- 113,793 or 99.6% requests for identity cards,
- 105,182 or 99.5% requests for passports, and
- 31,626 or 83% requests for certificates of birth or other vital statistics data

were processed.

A number of the requested documents was never collected, though. Currently 9,255 certificates of citizenship and 9,689 birth certificates are waiting to be collected.

With reference to issuing excerpts from vital statistics it should be pointed out that the registers of citizens in the Croatian Danube region are not yet in the possession of the Croatian authorities. Moreover, a number of registers covering earlier liberated areas of the Republic of Croatia has been either destroyed or alienated.

On 2 June 1997 started the registration of vehicles under the Motor Vehicles Registration Agreement signed between UNTAES and the Croatian Government. In the course of the first three days technical check-ups were performed on 222 vehicles. Because of a keen interest in obtaining driving licenses, as shown by the local population, negotiations have started with UNTAES to the effect of their issuing.

In February 1997, a hot line was introduced to provide information about citizens requests. Out of the total of 1,505 clarification requests and complaints made on the hot-line, 1,423 have been answered so far. 1,082 clarification requests were filed with the Ministry of Public Administration, out of which 1,040 requests have been answered to date.

4. REINTEGRATION OF THE JUDICIARY

Under the Agreement reached on 15 May 1997, General J. P. Klein passed a formal Decision on the Application of the Croatian legislation in the territory of the Croatian Danube Region, implying the implementation of the constitutional and statutory provisions as well as the provisions of international agreements and other regulations. Thus, as of 1 June 1997, the judicial bodies in the region administer justice applying Croatian legislation to each new case They are remunerated under adequate Croatian regulations.
Pursuant to the above Agreement, on 29 May 1997 the Ministry of Justice announced vacancies in the courts of the region. Job applications are awaited.
Listing of attorneys-at-law in the region is also underway, should they wish to join the Croatian Bar Association. Subsequent registration with the Bar Council, with the details to be arranged, are expected to follow.

As for the General Amnesty Act and the publicized War Criminals List, the Osijek Public Attorney's Office and County Court have been given a green light to proceed, while anyone who allegedly had not committed a war crime shall be allowed to take part in the proceedings. Anyone on the War Criminals List shall be entitled to become acquainted with the factual description of the offences charged with, in accordance with the Croatian regulations. A joint group made up of the Croatian judiciaries and the representatives of the local judiciary has been entrusted with carrying out these tasks. Competent courts and public attorneys' offices, in conjunction with the Croatian Ministry of the Interior shall refrain from detaining the persons for whom arrest warrants have been issued, until such time when it has been ascertained beyond doubt that the Amnesty Act does not apply to the person in question. Data processed so far show that the Amnesty Act has by now been applied to 11,668 persons living in the region.

A Memorandum of Understanding is about to be signed concerning mutual rights and obligations in respect of the reintegration of the local judiciary into the judiciary of the Republic of Croatia. A total of 195 employees will be considered for incorporation under this Memorandum.

5. REINTEGRATION OF EDUCATION

On the basis of the statement by the Croatian Government and UNTAES on the recognition of school certificates from the Danube region in the period from 1991/92 to 1996/97, the procedure for the recognition (recognition of school reports and certificates, distribution of textbooks free of charge to pupils in elementary schools) has been established, as well as for the integration of the school system into the school system of the Republic of Croatia. Agreement has been reached and parametars are being established according to which contents of special relevance to the members of the Serb community will be included in individual subjects provided in the Croatian curricula (mother tongue, geography, music, art). Further to this statement, work contracts were offered to 1,387 school employees in the Danube region in the part of Osijek-Baranja County and Vukovar-Srijem County (419 permanent contracts and 201 provisional contracts), of which 914 provisional contracts.

6. REINTEGRATION OF HEALTH CARE AND INSURANCE

Pursuant to the signed reintegration Agreement of health care and insurance, and in conformity with the Croatian laws, the financing of the Vukovar hospital and the Beli Manastir Medical Center will start, as well as assuming responsibility for operating and other costs related to providing adequate health care on the territory of the Danube region. Since all the necessary conditions have not been fulfilled yet, work contracts have not been offered yet to the employees of the health care institutions in the Danube region.
On the territory of the Danube region there are 24,922 health insurance beneficiaries. By getting a health insurance card, they obtained the status of the insured of the Croatian Social Security Institute and can benefit from the health care under laws and by-laws of the Republic of Croatia. In 1996 and 1997, health care costs were covered (out patient clinics and hospitalization) for 460 persons from the territory of the Danube region amounting to 2,907,234 kunas.

7. REINTEGRATION OF PENSION AND DISABILTY INSURANCE AND SOCIAL WELFARE

On the basis of the Agreement on the organization of local service and branch office of the National Pension and Disability Insurance Fund in parts of the Vukovar-Srijem and Osijek-Baranja counties, the reintegration of the pension and disability insurance system is underway. Until 10 June 1997, some 8,300 applications for resuming the payment of pensions, by the beneficiaries who were entitled to pension until 1991 have been received. So far, 6,389 demands have been processed. It is estimated that there are still some 4,000 beneficiaries who meet all the necessary requirements to apply for the pension payment. From 1992 to now, pensions and other benefits from the pension insurance amounting to 52,823,500 kunas have been paid to retired persons residing in the Croatian Danube region or to members of their families, as well as related to the "Darda" pilot project, by advance payment of 500 kunas, and through resuming of payment to beneficiaries who registered with the local service in Osijek durig the last few months.
According to this Agreement, a new organi. ation of the National Pension and Disability Insurance Fund will be established on the territory of the Danube region by opening the local service in Vukovar with branch offices in Ilok, Vinkovci and Županja and a local service in Osijek with the branch office in Beli Manastir.
Further to the Croatian Government statement of 16 December 1996 and Appendix to the Statement of 14 February, work contracts will be offered to all employees within the pension and disability insurance system on the territory of the Danube region. It is estimated that there are 41 personnel in the services of the pension and disability insurance on the territory of the Danube region. All jobs concerning the establishment of the new organization ought to be done in accordance with the Agreement, within a month from the date of signing the Agreement. In the Danube region, there are two social security centers (Beli Manastir and Vukovar), and houses for retired persons in Beli Manastir and Šarengrad. There are some 20 personnel in these social security institutions who have not been offered work contracts yet, because all the necessary conditions have not been fulfilled.

8. REINTEGRATION OF PUBLIC COMPANIES

Numerous meetings and talks of the joint Implementation Committees and expert groups held during the past years resulted in gradual completion of reintegration and new reintroduction into the economic and legal systems of parts of large public companies on the territory of the Croatian Danube region.

- CROATIAN POST OFFICE AND TELECOMMUNICATIONS

In its activities on the territory of the Danube region, the Post Office and Telecommunications established postal (letters and postal parcels) and telecommunications systems. Thus, reintegration into the system of the Republic of Croatia and international communications has been carried out, and the Croatian Post Office and Telecommunication assumed full responsibility for postal services and telecommunications on the territory. In March 1997, base stations for the mobile GSM phone system have been put in operation, integrating this territory into the CRONET phone system.
Contracts with former staff members of "JP PTT" have been signed and so far 395 persons of

a total of 401 persons signed the work contracts offered.

- OIL INDUSTRY

Within the revitalisation of oil fields, 47 oil wells and 2 water-drill wells have been put into operation, enabling the employment of 65 personnel of Serb ethnic origin. Along with 52 Croatian personnel, there are 117 personnel on work-sites.
In the activities of reconstruction and revitalisation of oil wells carried out so far, the INA oil company spent 28,883,440 kunas out of its own funds.
Long-term negotiations on taking over petrol stations on the territory of the Danube region resulted in taking over 4 petrol stations (Bilje, Bruž, Mikluševci, Nijemci), whereas the takeover of the remaining 38 petrol stations is bein negotiated. Negotiations have so far related to taking over of 497 employees, of whom 377 applied for job.

- CROATIAN FOREST MANAGEMENT COMPANY

The signing of the Agreement on the reintegration of the forest management is in its final phase, which is to reintegrate enterprises from the Danube region into the system of the Croatian Forests Management Company. Further to this Agreement, it is expected that some 404 employees are to be taken over.

- CROATIAN WATER MANAGEMENT COMPANY

By signing the Agreement on the reintegration of water management into the system of the Croatian Water Management Company - Zagreb, reintegration of the water management has been accomplished, reconstruction of the drainage system on the territory of Baranja have been started and the agreement has been signed on taking over 75 employees in the water management company in the Danube region. All these employees signed work contracts with the Croatian Water Management Company.
Total investments for the reconstruction of water and economic management facilities on this territory have amounted to 8,700,000 kunas so far.

- CROATAN RAILWAYS

The Croatian Railways have fully taken over on all railway lines in the Croatian Danube region based on the Letter of Agreement, so that traffic flows on the Vinkovci-Tovarnik and Beli Manastir-Darda lines, while the Osijek-Beli Manastir, Vinkovci-Drenovci, and Vinkovci-Borovo-Vukovar-(Erdut) lines are under reconstruction.
564 people have been employed, with 5 management positions offered to employees from the Croatian Danube region.

- CROATIAN POWER MANAGEMENT COMPANY

Pursuant to the Declaration on Maintenance and Power Supply about to be signed maintenance and stable power supply of the whole Croatian Danube region will be established, for which purpose a special operative plan will be prepared. There are 235 employees from this region who will be offered employment contracts. Two management positions in the distribution areas have

also been offered to the members of the Serb national minority from the Croatian Danube region.

- CROATIAN ROAD MANAGEMENT COMPANY

The Croatian Road Management Company has undertaken emergency remounting of traffic signs and maintenance of bridges, and has carried out all preparations for the rehabilitation of road facilities and roads in the Croatian Danube region.
Employment contracts have been offered to 21 employee from the Croatian Danube region, of whom nine have signed the contracts.

9. ECONOMY AND FINANCE

In order to successfully carry out the autumn sowing in 1996 and 1997 the sowing of wheat, sugar beet, sunflower, soy, maize and other crops in the Croatian Danube region has been financed through the Ministry of Economy, while the agricultural companies have been granted loans in commodities.

Within the projects of the economic system revitalisation preparations are underway to unite company managements, assess the war damage and privatise socially owned companies. 31 company has applied for registration with the Osijek Business Court. Registered companies have already resumed their business, and some companies form the Croatian Danube region also engage in rebuilding homes financed by the Ministry of Development and Reconstruction. The employees of the Ministry of Finance have begun to train personnel for the application of the customs and tax regulations. An Agreement on Accepting the Current Employees within the Customs Authority of the Republic of Croatia (139 persons will be offered employment). Toward the end of June 1997 the border crossing customs offices and customs offices in the interior of the country start to operate under the Croatian customs regulations, with customs officers in the official Croatian customs uniforms. There are 5 border crossings.

10. REBUILDING OF HOMES

The first contracts have been signed for rebuilding family houses and apartments in the settlements included in the pilot project where the war damage has been assessed (Antunovac, Ernestinovo, Lipovac, Apševci, Podgrađe, Nijemci, Donje Novo Selo, Cerić, outskirts of Vinkovci). This programme includes 2,543 family houses with different levels of damages sustained, of which 1,876 houses are already under construction, with 514 of them ready to accommodate their owners.
The preparations for recording and assessing the war damage have also begun in Bilje, Marinci, Bogdanovci, and the town of Vukovar itself.
There has also begun the programme for the rebuilding of apartment houses in Vukovar with 2,011 apartments; the rebuilding of 500 of them is to be arranged by the UNTAES and the European Commission, while 1,511 will be rebuilt by the Ministry of Development and Reconstruction. 456,000,000 kunas have been spent on these projects so far.
In all settlements included in the reconstruction of family houses and apartments the schools and churches will also be rebuilt. Two schools are already under reconstruction (Lipovac, Apševci), while project documentation is being completed for another 4 schools. The school in Antunovac is being rebuilt with the UNHCR funding. The church in Lipovac has been included in the reconstruction programme of the Croatian Episcopal Conference. 2,200,000 kn have been spent on the schools and churches reconstruction programme so far.

11. AREA PLANNING ACTIVITIES

The Ministry of Area Planning, Construction and Housing has performed a number of activities for the purpose of area planning in the area of the Croatian Danube region. The Basis for Area Use and Protection documents have been prepared for the former municipalities of Beli Manastir, Osijek, Vinkovci and Vukovar, with a number of documents prepared within the Reconstruction and Development Zoning Plans for the towns of Vukovar and Ilok, and the settlements of Bogdanovci, Lovas, Tompojevci and Tovarnik. The Zoning Plans for the Osijek-Baranja and Vukovar-Srijem Counties have been completed, while the National Area Planning Policy also includes the Croatian Danube region.

12. MINE CLEARING

To date, mine clearing has included 65,596,770 m^2 (more than 3,200 buildings), with 138,421 m^3 of different construction and other waste removed. An average of 649 persons were engaged in mine clearing, with 152 different engineering machines and aids. The following places have been cleared of land mines; Apševci, Lipovac, Podgrade, Cerić, Donje Novo Selo, Nijemci, Antunovac; together with the local companies from the Croatian Danube region Kopačevo, Bilje, Ernestinovo and Divoš have also been cleared, as well as the Vinkovci-Vukovar railway line and the Vinkovci-Vukovar power grid. A number of mine-clearing activities have been undertaken in order to provide working conditions for public utilities - a total of 935,120 m^2 surface area.

During the last year 65,912,322 kunas have been spent on these mine-clearing activities in the Croatian Danube region.

II. RETURN OF DISPLACED PERSONS

The Agreement of the Working Group dealing with the return of displaced persons signed on 23 April 1997 by the representatives of the Croatian Government, UNTAES and UNHCR, provides for a two-way return to and from the Croatian Danube region i.e. of both displaced persons to the Croatian Danube region and the displaced Serbs from the Croatian Danube region who fled from other areas within Croatia. There are 80,785 displaced persons from the Croatian Danube region on the record who have been accommodated elsewhere in Croatia. The return of these persons to the Croatian Danube region has already been initiated. Based on the information obtained from the UNTAES more than 1,000 persons have permanently returned to the Croatian Danube region through sponsored visits. Certificates are being issued for the return of 71 family (213 members).

After signing the Agreement on Return, and even prior to signing the agreement and its implementation, the return of the Croatian citizens from the Croatian Danube region to other areas of the Republic of Croatia began, especially at the end of 1996 and the beginning of 1997. These persons return on the basis of valid Croatian documents issued in the Croatian Danube region From the end of April until the beginning of June the regional offices for displaced persons and refugees in the Osijek -Baranja and Vukovar-Srijem counties have recorded a total

of 4,839 families with 10,445 members. Of this number 486 families with 1,199 members do not live in the Croatian Danube region but in the FRY. Of the aforementioned total number 2,694 families with 4,623 members have applied for the return, while 1,532 families with 4,342 members do not want to return to their previous place of residence.
Under the provisions of the Return Agreement and the completed registration of return applications, by 9 June 1997 there were 93 return certificates issued to 186 persons from the Croatian Danube region. On the basis of such certificates 16 persons from the Croatian Danube region have returned to their previous places of residence. Return priorities concern families and persons whose houses are vacant, as well as persons who apply for family reunion. As for other applications by persons whose houses are occupied or damaged, such persons will be offered provisional accommodation with their relatives and families, or accommodation arranged by the Office for Displaced Persons and Refugees or the Ministry of Development and Reconstruction, until their houses are vacated or rebuilt.
According to the information of the Ministry of Development and Reconstruction over the last several months some 15,000 Serbs returned to Croatia independently of the Agreement.

The reports by the ministries and other government agencies and public companies clearly show that all did their best to respect agreements and deadlines reached between the Government of the Republic of Croatia and the competent authorities of the Republic of Croatia on one hand and the UNTAES on the other hand.

Appendix I

REQUESTS FILED AT LOCAL BRANCHES OF THE REGIONAL OFFICE FOR REFUGEES IN THE TERRITORY OF THE CROATIAN DANUBE REGION
23 April to 6 June 1997

	Families	Family members
I WISHING TO RETURN TO DOMICILE 2694	4623	
a) family reunification	203	376
b) return home		
- vacant	440	952
- damaged	677	1294
- inhabited	920	2040
* staying with the family	537	1367
* staying in accommodation of the Office for Displaced Persons and Refugees/Ministry of Reconstruction and Development	403	737
II NOT WISHING TO RETURN	532	4342
a) remaining in the Danube region	620	1128
b) leaving the Republic of Croatia	1531	2655
c) moving elsewhere	279	612
III NOT YET DECIDED	127	281
IV RESIDENCE IN THE FRY	486	1199
TOTAL	4839	10445

Appendix II

EMPLOYMENT OF THE MEMBERS OF THE SERB NATIONAL MINORITY FROM THE CROATIAN DANUBE REGION

		EMPLOYED	OFFERED CONTRACTS
1.	Ministry of Education	-	1,387
2.	Ministry of the Interior	-	827
3.	Croatian Post and Telecommunications	395	401
4.	Croatian Railways	564	-
5.	Croatian Water Management Company	75	-
6.	Croatian Power Management Company	-	235
7.	Croatian Road Management Company	9	21
8.	INA-Oil Company	65	-

Appendix III

CROATIAN PUBLIC COMPANIES INVESTMENTS

The reconstruction, rehabilitation and establishment of certain functions in the Croatian Danube region have been financed by the public companies' own funds as follows:

1. Croatian Water Management Company - reconstruction of watermanagement infrastructure (pumping stations, flood protection)		8,700,000 kn
2. Croatian Post and Telecommunications - rehabilitation of telecommunications		6,000,000 kn
3. Croatian Railways - railways repair		35,900,000 kn
4. Croatian Power Management Company - network reconstruction in the pilot project settlements		27,700,00 kn
5. Croatian Road Management Company - remounting of traffic signs and rehabilitation of bridges		892,000 kn
6. INA-Oil Company - oil fields and petrol stations	ca.	50,000,000 kn
7. Croatian Broadcasting Company		2,000,000 kn
8. Croatian Woods Management Company - Lipovac		2,000,000 kn
TOTAL:		133,192,000 kn

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LETTER DATED 9 JUNE 1997 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In the report of the Secretary-General on the activities of the Special Commission (S/1997/301, annex), which was submitted to the Security Council on 11 April 1997, reference is made to the Commission's air operations (paras. 31-33). Attention is drawn, in particular, to various serious incidents regarding those operations that occurred during the reporting period. Those incidents encompassed attempts to exclude areas from overflight and threats to the safety and integrity of the aircraft and their crews, including efforts to wrest control of the Commission's aircraft from the crew and dangerous manoeuvres by the accompanying Iraqi helicopter to force the Commission's aircraft to deviate from its route. The report also outlined the steps taken by the Commission to attempt to remedy this matter, in particular through both written and oral protests to the Deputy Prime Minister of Iraq. In the report I expressed the hope that some arrangements arrived at during my April 1997 visit to Baghdad would serve to rectify the situation. Unfortunately, this has not proved to be the case and there has been a repeat of all of the actions of the sort described above. The situation has reached the point where it appears necessary to raise the matter directly with the Council.

The Commission's helicopter operations form an integral part of its inspection activities in Iraq, whether related to Iraq's prohibited programmes and activities or to monitoring. Many of these activities cannot be carried out with the assurance that sites to be inspected are secure unless aerial surveillance is conducted to ensure that no personnel, vehicles or aircraft leave the sites. The effectiveness of inspections is gravely diminished in many cases where aerial surveillance is interfered with by the Iraqi personnel, either in the Commission's aircraft or in an accompanying Iraqi helicopter. These personnel are intended to ensure liaison with the Iraqi authorities on the ground or in the air and they have no authority to dictate the route or other issues relating to the flight of the aircraft. Where such interference occurs, the Commission cannot carry out its tasks in a satisfactory manner.

The Security Council has been aware of the importance of the Commission's air operations by providing in its resolutions and related texts that the Commission has the right to conduct both fixed-wing and helicopter flights throughout Iraq for all relevant purposes, including inspection, surveillance, aerial surveys, transportation and logistics without interference of any kind and upon such terms and conditions as may be determined by the Special Commission. Iraq is bound by and has accepted its obligations in these respects, but during recent weeks has failed to honour them in practice.

In the last few days, there have been four serious incidents in which the lives of the crews of the Commission's helicopters and the aircraft themselves were endangered through the actions of the Iraqi air personnel on board the aircraft or through the manoeuvres of the accompanying Iraqi helicopter. These actions resulted in the air missions' having to be terminated without successfully carrying out their tasks.

In the first incident, on 4 June 1997, when the Commission's aircraft was seeking to orbit the inspection site, the Iraqi air personnel threatened to shut off the fuel pump and physically man-handled the Chief Air Inspector and the Commission's photographer in order to prevent them from taking photographs of the inspection site, including the departure from that site of two Iraqi helicopters.

In the second incident, on 5 June 1997, one of the Iraqi personnel, among other actions, grabbed the co-pilot's control (cyclic-stick), shaking it very violently, leading the Commission's pilot immediately to abort the mission and to return to his base.

The third and fourth incidents occurred on 7 June 1997. In the third incident, an accompanying Iraqi helicopter placed itself in the path of the Commission's aircraft, causing the Commission's pilot to make a radical manoeuvre to avoid a dangerous situation. Subsequently, one of the Iraqi personnel interfered with the flight controls by placing his foot on the pilot's collective lever with considerable force, resulting in a temporary deviation from controlled flight. He said formally that he would do whatever he could to stop the aircraft flying and indicated that he was acting under orders. The Commission's pilot, therefore, aborted the mission and returned to base.

In the fourth incident, the accompanying Iraqi helicopter flew alongside, but slightly higher than the Commission's helicopter, so close that its main rotor overlapped the rotor of the Commission's aircraft by some eight feet. When the Commission's crew told the Iraqi personnel on board to order the accompanying aircraft to move away, the individual involved replied that he would not do so as he had orders from Baghdad. He also said that he was not prepared to guarantee the safety of the Commission's aircraft.

All these incidents appeared to have been motivated by a determination on the Iraqi side not to permit the Commission to operate its aircraft in the neighbourhood of areas that Iraq considered to be "sensitive" or "diplomatic" sites, despite the fact that those sites were under ground inspection where access was permitted. In each case, it was only the professional and quick

response of the Commission's pilots that prevented the occurrence of tragic accidents.

Wishing to avoid having to raise the matter directly and immediately with the Council, I wrote to the Deputy Prime Minister of Iraq on 5 June, protesting, at that time, the one incident of which I was aware and which had occurred on 4 June. In that letter, I recalled the undertakings that the Deputy Prime Minister had given in April 1997 during our meetings in Baghdad and during which Iraq had agreed that the Commission's pilot was solely responsible for the operations of his aircraft and for its safety and that it was totally unacceptable to try and settle disputes through physical action in flight. I requested that orders be issued again to the National Monitoring Directorate and to those responsible for providing Iraqi air personnel for the Commission's helicopter operations to honour Iraq's commitments in respect of those operations. I indicated, however, that, in view of these continuous incidents, no Iraqi personnel who had engaged in activities that interfered with and threatened the safety of the Commission's flights should be permitted on board the Commission's aircraft.

The second incident was the subject of a protest sent on 5 June 1997 by the Deputy Executive Chairman on my instructions as I was away from the Commission's headquarters. In that letter, the Deputy Executive Chairman requested that the Government of Iraq provide immediate written assurances that it had taken appropriate measures to avoid the recurrence of violations of the nature complained of. If not, the matter would be brought to the attention of the Security Council.

In a reply to my letter of 5 June, the Deputy Prime Minister of Iraq regretted the Commission's accusations, which he stated to be based on a single incident among hundreds of flight operations. He also questioned the facts of the incident but indicated that he had directed that the Iraqi air personnel concerned in the incident be relieved of duties associated with the work of the Commission. However, the letter did not provide any assurances that the Commission's flying rights would be permitted to proceed as required by the Council.

In a letter dated 6 June 1997, the Under-Secretary of the Ministry for Foreign Affairs of Iraq, responding to the Deputy Executive Chairman's letter of 5 June, merely sought to justify the actions of the Iraqi air personnel and failed to give the assurances that had been requested regarding Iraq's taking proper measures to avoid the recurrence of such violations.

As demonstrated by two further incidents following on the Commission's letters, the assurances and effective measures that have been sought by the Commission to resolve this matter have not been forthcoming. The Commission cannot carry out its responsibilities, either with respect to the inspections related to Iraq's prohibited activities or with respect to monitoring, if the related air operations are interfered with and if the crew and aircraft are being placed in the most imminent danger. The Commission is concerned that it is faced by a situation where there has been a deliberate decision to hinder and, indeed, render many of its operations ineffective and that the incidents cannot just be ascribed to ill-advised actions by individuals on the spur of the

moment. The Commission, therefore, considers that, in order to enable it to proceed in the most effective manner, the Security Council might wish to remind Iraq of its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991) to permit the Commission to carry out its air operations anywhere in Iraq without interference of any kind and upon such terms and conditions as the Commission may determine. It might also wish to remind Iraq of its obligations under the relevant resolutions and the exchange of letters of May 1991 to guarantee the safety and security of the Commission's aircraft and personnel.

I would be most grateful if the present letter could be brought to the attention of the members of the Council for their consideration.

(Signed) Rolf EKÉUS
Executive Chairman

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Security Council

Distr.
GENERAL

S/1997/456
13 June 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 5 June 1997 from Mr. Tariq Aziz, Deputy Prime Minister of Iraq, addressed to the Executive Chairman of the Special Commission.

I request you to have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-16179 (E) 130697 130697

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Annex

Letter dated 5 June 1997 from the Deputy Prime Minister of Iraq addressed to the Executive Chairman of the Special Commission Established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

I have received your letter of 4 June 1997 and should like to inform you that I greatly regret its contents and the hasty conclusions drawn in it.

Your letter uses an isolated incident, before all the facts are verified, as a pretext for jumping to political conclusions that have no objective basis and that, without any justification, bring into question Iraq's compliance with its obligations under the relevant Security Council resolutions.

The operation flown by the Special Commission helicopter was in support of a ground inspection undertaken by UNSCOM 194 led by the Chief Inspector, Scott Ritter, with a view to securing the inspection of a sensitive site. It is therefore strange that your letter uses this incident to substantiate a serious accusation with regard to Iraq's commitment to the monitoring system. This impression is reinforced by the fact that you did not stop there, but assumed that such incidents would be repeated in the future, since you add a further damaging conclusion to the effect that any further repetition of this alleged violation will strengthen the fear that Iraq does not intend to carry out its obligations under the Security Council resolutions.

I conducted an immediate investigation into the incident and it is clear that an argument did take place between the Iraqi escort pilot and the Chief Inspector, owing to tension between the two. The investigation also found that there had been absolutely no physical contact between the Iraqi pilot or minder and the Special Commission's photographer. The reality is that the Iraqi minder put his hand in front of the camera lens in order to prevent photographs being taken. The Iraqi pilot also confirmed that the talk of shutting off the fuel pump had not been serious and that the Chilean pilot had not treated it as a serious threat. It is also worth mentioning that the Iraqi helicopter that was to be photographed returned to its site a very short time after take-off and was inspected by the Special Commission's ground inspection team, which did not find any proscribed items.

Another surprising aspect of your letter is that you accuse us of failing to honour our commitments to the Special Commission in respect of the compliance of the Iraqi pilots and minders with the flight procedures of the Special Commission helicopters. You ignore the fact that this incident, irrespective of its details, took place during one of hundreds of flight operations carried out over recent months that are continuing on an almost daily basis in a normal manner. Nevertheless, and in order to avoid the exploitation of this isolated incident for other purposes, I have ordered the Iraqi pilot and minder involved in the incident to which you refer in your letter to be relieved from such escort duties.

I should like to take this opportunity to make it clear to you that your having sent inspection team No. 194 at this particular time arouses our suspicions, as was made clear to you in the letter dated 30 May 1997 from Lieutenant-General Amer Mohammad Rashid. At the very time when we are concentrating all our efforts on technical and professional work with a view to closing the files, a team comes to inspect sites of the same type as many other sites that were previously inspected, most recently last March, on the pretext of alleged concealment by the Iraqi side. All that this has meant is a deliberate waste of time and effort, the fabrication of crises and tensions and, as a consequence, the jumping to political conclusions on your part in order to provide a pretext for directing such unfounded accusations against Iraq as are contained in your letter.

Iraq's commitment to the provisions of the relevant Security Council resolutions and to the fundamental matters agreed upon on 22 June 1996 is both serious and genuine. We hope that the Special Commission will conduct its operations in an objective and professional manner and avoid deliberate politicization. It should also avoid trying to prolong its duties, which to date have taken more than six years.

(Signed) Tariq AZIZ
Deputy Prime Minister

UNITED NATIONS **S**

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S/1997/457
13 June 1997
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ORIGINAL: ARABIC

LETTER DATED 13 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 6 June 1997 from Mr. Riyadh al-Qaysi, Under-Secretary in the Ministry for Foreign Affairs of Iraq, addressed to the Deputy Executive Chairman of the Special Commission.

I request you to have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-16185 (E) 130697 130797

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Annex

[Original: English]

Letter dated 6 June 1997 from the Under-Secretary of the Ministry of Foreign Affairs of Iraq addressed to the Deputy Executive Chairman of the Special Commission Established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

I write in reference to your letter dated 5 June 1997 to the Deputy Prime Minister, His Excellency Mr. Tariq Aziz, and should like to point out the following.

1. As was pointed out in the two letters addressed to the Executive Chairman of the Commission yesterday by Mr. Tariq Aziz, the Deputy Prime Minister, we believe that the incident referred to in your letter and that referred to in the Executive Chairman's letter of 4 June have been instigated at this time in particular, when the Executive Chairman will shortly relinquish his post, with the deliberate intention of creating a false and unjustified crisis. Our belief is not without foundation when seen against the background of the exaggeration of facts in order to create dramatized situations of the type we have witnessed recently in the letters sent by the Special Commission. Certainly, it is not in the interest of Iraq to create any such situation.

2. The Iraqi pilot referred to in your letter is a lieutenant-colonel of the highest technical standards and expertise. He has participated in the Commission's flights for nearly two years, with a total of about 2,000 flying hours, without any problem whatsoever. It would be naive, therefore, to describe the pilot as if he had no regard for the safety of the lives of the Commission's personnel on board, while he himself and the Iraqi minder were also on board and naturally would be exposed to the same danger. This indicates the inclination of the Commission to dramatize situations in order to create a negative atmosphere against Iraq in the Security Council.

3. In point of fact, the Chief Inspector of the Aerial Inspection Team, Mr. David Rendel, insisted that the Commission's pilot use a flight path over a presidential site, which we cannot accept for security reasons. You will recall that this insistence on the part of the Chief Inspector is unjustified in view of the Joint Statement signed on 22 June 1996, namely, that "being guided by the commitment of Member States of the United Nations to the sovereignty, territorial integrity and independence of Iraq, the Special Commission undertook that, in carrying out its mandate and exercising its rights under the relevant Security Council resolutions, it would operate with full respect for the legitimate security concerns of Iraq" (emphasis added).

4. The target the Chief Inspector on board was interested in surveilling seems to have been the biology departments of the Colleges of Medicine and Education, both of which are situated within the residential area of the city of Tikrit, as there is no other site related to the work of the Commission within that area.

It would have been quite possible and easy to reach the target with a flight detour of two minutes had the Chief Inspector agreed. The Iraqi pilot, in fact, reasoned with the Chief Inspector, to the extent of begging him to reconsider his position and not create any problem and that he should accept the flight detour, but the Chief Inspector did not change his position.

(Signed) Riyadh AL-QAYSI
Under-Secretary,
Ministry of Foreign Affairs

UNITED NATIONS **S**

Security Council

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S/1997/458
13 June 1997

ORIGINAL: ENGLISH

LETTER DATED 11 JUNE 1997 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In the course of the informal consultations on Iraq in the Security Council this morning, you informed the members of the Council that copies were being circulated to them of the letters dated 5 and 6 June 1997 addressed to the Special Commission by the Deputy Prime Minister and the Under-Secretary for Foreign Affairs of Iraq, respectively.

As both these letters are in response to communications of 4 and 5 June 1997, the first from me and the second from the Deputy Executive Chairman addressed to the Deputy Prime Minister of Iraq, I believe it would be useful to provide copies of these letters to the members of the Council so that they have the complete record at their disposal. I am, therefore, enclosing herewith copies for such action as you deem appropriate (see annexes I and II).

(Signed) Rolf EKÉUS
Executive Chairman

97-16167 (E) 130697

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Annex I

Letter dated 4 June 1997 from the Executive Chairman of the Special Commission Established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

I write to you to express my most serious concern over the gross misconduct of the Iraqi pilot and minder that occurred on 4 June 1997 during the Commission's air operations flown in support of a ground inspection undertaken by UNSCOM 194.

When the Commission's aircraft was orbiting the inspection site, the Iraqi pilot threatened to shut off the fuel pump and, together with the Iraqi minder, physically attacked the Chief Air Inspector. The Iraqi pilot and minder loudly and repeatedly stated that no photographs were to be taken. Despite the evident right of the Commission to take photographs, every time an attempt was made to do so, the minder grabbed at the camera and manhandled both the photographer and Chief Air Inspector. At one point, when the Chief Inspector endeavoured to take a photograph out of the door of the helicopter, the minder grabbed hold of the camera and attempted to throw it out of the aircraft, stating that this was his intention. This behaviour is totally unacceptable. Not only was it irresponsible on the part of the Iraqi pilot and minder, but it also constituted an immediate threat to the lives of the Commission's personnel. It was a violation of Iraq's undertakings to guarantee the safety of the Commission's aircraft and personnel.

I am most distressed at this incident, which is yet another example of the actions impeding our flight operations, which I referred to in my letter to you of 14 March 1997. I need not repeat the points made in that letter, all of which are relevant to this incident. In our April 1997 meetings in Baghdad, I raised with you the various incidents that had occurred up to that time and warned that Iraq's deteriorating performance, both in the air and on the ground, called into question its commitments to the monitoring process. If the trend was not reversed, it could result in a situation with political consequences, whereby monitoring could no longer be considered operational. In response, you stated formally that Iraq was committed to ongoing monitoring and verification and that would not change. You said that Iraq wanted to have the monitoring process proceed correctly to the full satisfaction of the Commission, the International Atomic Energy Agency (IAEA) and the Security Council. I insisted, and the Iraqi side agreed, that the Commission's pilot was solely responsible for the operation of his aircraft and for its safety, and that it was totally unacceptable to try and settle disputes through physical action in flight.

It is with regret that I must note that this latest incident demonstrates that the undertakings you have given do not appear to have been translated to the lower echelons who deal with the Commission on a day-to-day basis. The incident to which I am referring is also of grave concern because the Iraqi pilot and minder appeared, once again, to have taken the position that there are certain areas in Iraq over which the Commission has no right to fly or to take

photographs related to its mandate. In my letter to you of 14 March 1997, I pointed out that the Commission had the right to conduct "helicopter flights throughout Iraq for all relevant purposes, including inspection, surveillance, aerial surveys, transportation and logistics without interference of any kind and upon such terms and conditions as may be determined by the Special Commission". These rights are given by the Security Council and could only be changed by the Council. Neither the Commission nor the Council have accepted that Iraq has the right to prohibit it to fly over the areas that Iraq described as "diplomatic" or "sensitive". In this case, photographs were required to document the departure from the site of an Iraqi helicopter in violation of the prohibition of such movements when an inspection is under way.

I must again request that you issue orders to the National Monitoring Directorate and to those who are responsible for providing pilots and minders for the Commission's helicopter operations to honour Iraq's commitments in respect of those operations. In my letter of 14 March, I demanded that the individuals involved in the various aerial incidents be removed from any duties associated with the work of the Commission and of IAEA. This does not appear to have been the case. For the future, I shall issue instructions that no Iraqi personnel who have engaged in activities that interfere with and threaten the safety of the Commission's flights shall be permitted on board the Commission's aircraft. Careful note will be taken of Iraqi personnel involved in flight operations so as to enforce this prohibition.

I have no doubt that this latest violation of the Commission's rights will be viewed with concern by the Security Council and that any further repetition will strengthen the fear that Iraq does not intend to carry out its obligations under the Council's resolutions. I await a response, which I hope will address effectively the repeated concerns that I have had to express regarding interference with the Commission's air operations.

(Signed) Rolf EKÉUS
Executive Chairman

Annex II

Letter dated 5 June 1997 from the Deputy Executive Chairman of the Special Commission Established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the Deputy Prime Minister of Iraq

I have been instructed by the Executive Chairman, who is away from New York, to write to you to protest most strongly yet another air incident, which occurred on 5 June 1997. In this case, the behaviour of an Iraqi co-pilot placed the lives of the crew and the safety of the aircraft in the most imminent danger.

The aircraft had been flying in support of a ground inspection by UNSCOM 194. In this incident, the Iraqi pilot, while the aircraft was navigating over the Tigris River in the area of Tikrit, first of all lunged at some of the switches on the centre console of the helicopter but was restrained by his seat-belt. He then undid his seat-belt and grabbed the co-pilot's control (cyclic stick), shaking it very violently. This extremely dangerous action led the Commission's pilot immediately to abort the mission on safety grounds and to return to Rasheed Air Base. The aircraft was therefore unable to carry out the mission with which it had been entrusted.

Whatever disagreement may occur as to the route of a particular flight, it has been agreed by both sides that physical interference with the flight is totally unacceptable. I am, therefore, instructed to inform you that the Iraqi pilot in question will not be permitted, in future, on any of the Commission's flights.

I wish to recall the Executive Chairman's statement in his letter to you of 14 March 1997 where he indicated that, if further air incidents were to occur, he would have to report them to the Security Council.

In view of these two most serious violations of the Commission's rights in two days, I am instructed to request that the Government of Iraq provide immediate written assurances that it has taken proper measures to avoid the recurrence of such violations. If such assurances are not forthcoming, the letter of yesterday's date and the present letter will be brought to the attention of the President of the Security Council.

(Signed) Charles DUELFER
Officer-in-Charge
Deputy Executive Chairman

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/459
13 June 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of the press release issued by the Ministry of Foreign Affairs and Cooperation and of French-speaking Community Affairs of the Republic of the Congo in response to the events under way in Brazzaville.

The purpose of this press release is to shed light on the origins of the armed conflict between the Congolese regular army, which maintains its allegiance to the Head of State, President Pascal Lissouba, and the militia of former President Denis Sassou-N'Guesso.

The Government of the Republic of the Congo would be grateful to the Security Council for any initiatives it may take, inter alia, by firmly supporting the mediation efforts under the leadership of the President of Gabon, His Excellency El Hadj Omar Bongo, with a view to the speedy restoration of peace and the protection of democracy in the Congo.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Daniel ABIBI
Ambassador
Permanent Representative

97-16191 (E) 130697 130697

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Annex

[Original: English and French]

Press release issued in New York on 10 June 1997 by the Ministry of Foreign Affairs and Cooperation and of French-speaking Community Affairs of the Republic of the Congo on the events taking place in Brazzaville

In May 1997, the former Head of State, Mr. Denis Sassou-N'Guesso, decided to go to Owando, a town situated about 500 kilometres north of Brazzaville, on an election campaign, although the election campaign had not officially started.

As if he had forgotten that it was at Owando that he had had Captain Pierre Anga, a native of that town, assassinated, Mr. Sassou demanded to enter the town triumphantly in a "tipoye", a palanquin used by traditional rulers.

When the local population refused to accede to the request to do such an honour to the person who had ordered the execution of a native of Owando, Major Aboya, a member of Mr. Sassou's militia, fired his gun, killing in cold blood one of the law enforcement officers who was trying to restore calm. The assassination had occurred a day before Sassou was to arrive. It angered the people and triggered off a series of bloody incidents that resulted in the death of 12 innocent farmers.

Hardly had normalcy been restored in that part of the country than members of Mr. Sassou's militia deliberately opened fire on the body guards of Mr. Jacques Joachim Yhombi Opango, a former Prime Minister, on their way to Brazzaville from Owando, a route that inevitably passes through Oyo, Mr. Sassou's home town and headquarters of his militia. The body guards had earlier been disarmed by Sassou's militia before they entered the town.

Strangely enough, all this is happening despite the agreement reached between the main political leaders on 31 May 1997, at the initiative of the Head of State and in implementation of the peace accord and under the auspices of the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Mr. Federico Mayor. In that agreement, the parties had undertaken to ensure the disarming of the militias and the holding of a peaceful presidential election in July. Mr. Sassou was a signatory to the agreement.

It is therefore hard to imagine that Mr. Sassou, a former Head of State, would refuse to hand over the perpetrators of the murders, sheltered and protected in his residence, to the police, but should rather order his militia to respond to the court order with violence.

Since then, Brazzaville has become the theatre of bloody clashes between government forces and former President Sassou's militiamen, supported by mercenaries.

It should be recalled that since August 1992, when he was defeated in the first democratic presidential election by universal suffrage, Mr. Sassou has been seeking to destabilize the country and possibly derail the democratic process.

During the two years that Sassou was away from the country following the bloody 1993-1994 conflict, all the democratic forces and political parties of the Congo had striven ceaselessly to heal the wounds of the nation and to reinforce peace and democracy in the country.

The Congo has been making slow but steady recovery of its credit worthiness with the international financial institutions and its credibility with its other partners.

In spite of the steps taken by the Government to ensure his safe return to the country, Mr. Sassou has constantly been organizing a revolt aimed at destabilizing the democratically elected institutions, as evidenced by his turning a simple police operation intended to carry out a court order into an armed insurrection.

Knowing very well that he stands no chance of returning to power through democratic means, the former dictator has just fomented a plot that involves taking advantage of the crisis in the former Zaire to smuggle in large quantities of weapons and bring a large number of militiamen to Brazzaville; mobilizing the people against French interests; provoking the Angolan troops based in Cabinda and seizing information centres and telecommunication facilities.

The coup d'état was designed to be completed within a short period of time. In that he failed. The former dictator considered, therefore, that he had no other way of coming back to power than through armed insurrection. Mr. Sassou has thus revealed his true colours. He does not care in the least about the suffering of the Congolese people and the foreigners among them, provided he achieves his objective. Sassou remains the same person, unrepentant, who assassinated former President Marien N'Gouabi, Cardinal Émile Biayenda, former President Massamba Debat and his colleague Pierre Anga. His tenure as President was marked by countless arbitrary arrests and summary executions. He became an accomplice of the terrorists who planted the bomb that brought down the UTA flight over the Ténéré desert. He was also the instigator of the deadly clashes of 1993-1994 in Brazzaville.

The Government of the Congo is making every effort to restore law and order and peace, preserve democracy and honour its international commitments.

The Government of the Congo calls upon the world community to support it in its endeavour to preserve its democratic institutions.

UNITED NATIONS **S**

Security Council

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S/1997/460
14 June 1997

ORIGINAL: ENGLISH

LETTER DATED 14 JUNE 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey to you the attached letter, dated 13 June 1997, which I have received from the Permanent Representative of Italy to the United Nations (see annex). Attached to the letter is the sixth bi-weekly report on the multinational protection force for Albania, as requested by the Security Council in resolution 1101 (1997) of 28 March 1997.

I should appreciate your bringing the present letter and its annex to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-16223 (E) 160697

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Annex

Letter dated 13 June 1997 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to submit the sixth report on the multinational protection force for Albania (see appendix). The report is submitted pursuant to the requirement set out in paragraph 9 of Security Council resolution 1101 (1997) of 28 March 1997, in which the Council requested the Member States participating in the multinational protection force to provide periodic reports, at least every two weeks, through the Secretary-General, to the Council. The fifth such report was conveyed to you on 6 June 1997 (see S/1997/440).

I should be grateful if you could have the text of the present letter and the sixth report circulated as a document of the Security Council.

(Signed) F. Paolo FULCI
Ambassador

Appendix

Sixth report to the Security Council on the operation of the multinational protection force in Albania

1. On 28 March 1997, the Security Council adopted resolution 1101 (1997), in paragraph 2 of which it welcomed the offer made by certain Member States to establish a temporary and limited multinational protection force to facilitate the safe and prompt delivery of humanitarian assistance and to help create a secure environment for the missions of international organizations in Albania, including those providing humanitarian assistance.

2. In paragraph 9 of the resolution, the Security Council requested the Member States participating in the multinational protection force to provide periodic reports, at least every two weeks, to the Council through the Secretary-General. The first five reports were provided on 9 and 25 April, 9 and 23 May and 6 June 1997 (see S/1997/440). The sixth report is a special report referring to the modalities of the presence of the force after 28 June 1997 and in the light of the assessment of the situation by the Council three months after its adoption of resolution 1101 (1997), as foreseen by it in paragraph 6 of the resolution.

3. The Steering Committee, consisting of the political directors of the troop-contributing countries and the Commander of the operation, had a special meeting on 10 June under the chairmanship of Ambassador Amedeo de Franchis, the Italian political director, to approve the present special report.

4. The Steering Committee considered several requests by the Albanian authorities that the force remain in Albania during the electoral process to help ensure a safe and secure environment for the Organization for Security and Cooperation in Europe (OSCE) monitoring teams, in the framework of the Security Council's mandate, and expressed its readiness to accede to those requests.

5. The Steering Committee examined the results of the International Meeting on Albania held at Rome on 26 May 1997. The participants at that Meeting had expressed appreciation for the neutral and impartial way in which the Security Council mandate had been carried out by the force in close contact with the Albanian authorities. They also recognized that the presence of the multinational protection force was effectively contributing to the stability of both the country and the region and stated that the force, within the framework of its mandate, would contribute to ensuring a safe environment in Albania during the electoral process, taking into account in all possible ways the OSCE electoral concept.

6. The Steering Committee took note of the requests presented in that connection by the Director-General of the Office for Democratic Institutions and Human Rights (ODIHR) of OSCE, Ambassador Stoudmann, during the Committee's meeting of 4 June.

7. The Steering Committee noted the indications provided by the Albanian authorities and OSCE that the electoral process would exceed the present time-limit of the mandate.

8. The Steering Committee also noted the results of a planning meeting of military representatives of the troop-contributing countries, which took place at Rome on 6 June and which examined the operational modalities for the force to ensure a secure environment for OSCE/ODIHR personnel during the electoral process and in the framework of its mandate as defined in Security Council resolution 1101 (1997).

9. The Steering Committee noted that a withdrawal of the multinational protection force by 28 June, the day before the planned elections in Albania, as foreseen in paragraph 6 of resolution 1101 (1997), would not allow the force to provide the above-mentioned secure environment and would therefore undermine one of the main efforts of international assistance to Albania, with an added negative impact on the improvements so far achieved through the efforts of the international community in close cooperation with the Albanian authorities and in addition to their own action in that field.

10. The Steering Committee took note of the readiness of the contributing countries to maintain, for a limited time, their military contingents in Albania as part of the multinational protection force and in the framework of the mandate given by the Security Council.

11. The Steering Committee took note that, for a limited period of time, coinciding with the electoral process and for the specific purpose of protecting the OSCE electoral missions, a limited increase in the strength of the force from that originally planned would be necessary.

12. In view of the above, the Steering Committee recommends that the mandate given to the force by the Security Council in resolution 1101 (1997) be extended for the period necessary for the completion of the electoral process in Albania and in any event not longer than 45 days after the termination of the present mandate.

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Security Council

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16 June 1997
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ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 14 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 12 June 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of the aerial violations that have accompanied the continuing incursion into Iraq's territory by the Turkish armed forces and urging the United Nations to meet its responsibilities as laid down in the Charter and to halt the intimidation and aggression to which Iraq is constantly being subjected.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-16289 (E) 170697 170697

Annex

Identical letters dated 12 June 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

Ever since 21 May 1997, Turkish armed forces have been continuing their wide-ranging military incursion into the territory and airspace of the Republic of Iraq. I have diligently kept you and the members of the United Nations Security Council informed of the details of this wanton aggression, and it was condemned by the League of Arab States and the Arab Group in their statements of 25 and 30 May 1997 respectively. It was also condemned by the Coordinating Bureau of the Movement of Non-Aligned Countries on 30 May 1997, and many countries have issued statements condemning and strongly censuring the aggression and urging Turkey to withdraw immediately and to desist from violating Iraq's sovereignty and territorial integrity. Nevertheless, these international statements reflecting the Turkish act of aggression have not deterred the Turkish Government and have not brought it to comply with the demands of the international community.

The Security Council, as an international organ responsible for the maintenance of international peace and security, bears special responsibility with respect to any aggression against or violation of sovereignty committed against any of the world's countries. The Council also bears special responsibility with respect to the sovereignty of Iraq, in accordance with its own resolutions. We nevertheless note with great surprise that the Council remains silent and is unable to take any action to deter the Turkish Government from continuing its aggression and its unlawful violations of Iraq's territory and airspace. This attitude of indifference confirms the double standard on the basis of which the Security Council deals with issues involving different countries and the evident inconsistency with regard to issues that concern Iraq in particular. I refer in this connection to the letter dated 25 May 1997 from Mr. Tariq Aziz, Deputy Prime Minister of Iraq, addressed to the President of the Security Council for May 1997 (S/1997/391, annex), in which he sets forth our viewpoint on this question in detail.

The failure of the Security Council to take the deterrent action required in accordance with its responsibilities and powers has caused the Turkish Government to persist in maintaining its incursion into Iraq and to continue its violations of Iraq's airspace. The latter have been as follows:

1. Between 1135 and 1225 hours on 31 May 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with four sorties. The aerial violations were centred on the Amadiyah, Fibu and Batufah areas.

2. Between 1050 and 1155 hours on 1 June 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with two sorties. The aerial violations were centred on the Zakho, Amadiyah, Fibu and Aqrah areas.

3. Between 0756 and 1215 hours on 2 June 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with four sorties in the Pibu and Pibu East areas.

4. Between 0800 and 1757 hours on 3 June 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with 14 sorties in the Pibu, Zakho and Amadiyah areas.

As stated in my letter of 3 June 1997, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to determine an appropriate response to this brutal military aggression and to seek compensation for the damage caused by these Turkish breaches and violations of Iraq's territory and airspace and for the human suffering inflicted on Iraqi citizens by these acts of aggression. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbour to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which the Republic of Iraq is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

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S/1997/462
16 June 1997
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LETTER DATED 14 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a copy of a letter dated 5 June 1997 from Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, addressed to the Executive Chairman of the Special Commission. The Deputy Prime Minister conveys the concern of the Iraqi side that the analysis of missile remnants has been unconscionably protracted and that the transmission of the results has been delayed without regard for the consequences, which include the prolonged maintenance of the embargo and the continued suffering of the Iraqi people.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-16277 (E) 160697 160697 170697

Annex

Letter dated 5 June 1997 from the Deputy Prime Minister of Iraq addressed to the Executive Chairman of the Special Commission Established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

I have studied your letter of 3 June 1997 addressed to Lieutenant General Amer Mohammad Rashid containing your response to his inquiry as to the results of the analysis of the missile remnants.

The letter is extremely disturbing and raises many questions. On the one hand, it contains no information on the results of the analysis of the missile remnants, while, on the other hand, it makes the operation open-ended and goes beyond our shared understanding of the timetables for completion. I should like to recall that in our two periodic meetings in Baghdad, in February and April 1997, you explained the operation, the kinds of analysis to be performed and the expected timetable. At the February meeting you told us that the preliminary results of the analyses could be ready within weeks, and that if the Special Commission had begun moving the missiles in November 1996, it would have been possible to begin the analyses in mid-December and include the results in the Special Commission's April semi-annual report. At the April periodic meeting you told us that work had begun on the missile analyses in the United States of America on 24 March 1997 and that work would begin in France on either 4 or 7 April 1997. The laboratories would inform the Commission of the results on the basis of priorities. Some preliminary results could be expected within weeks, and the final results would be ready in August 1997.

It would appear from your above-mentioned letter that you are only prepared to present preliminary results after an extremely long delay, and that you intend to undertake endless or at least very lengthy analyses that will extend well beyond the timetable you gave us. This will substantially delay the strenuous efforts we are making to close the missiles file and make progress towards closing the other files. I should like to make it clear to you that this extension has no objective basis and is expensive. It is intended to delay indefinitely the closure of the weapons files, with no regard for the consequences, namely, the continuation of the sanctions regime and the suffering of the Iraqi people. This is a course I have cautioned against at our meetings and in my letters to you in recent months.

After more than six years you are about to leave your post as Chairman, and it would seem that we are still caught up in the twists and turns of a never-ending story. The situation regarding the analyses and the other measures currently being carried out as part of the Special Commission's activities give rise to profound disquiet and raise serious questions about the extent of the Commission's commitment to complete its mandate under Section C expeditiously and in an impartial and businesslike manner.

Accept, Sir, the assurances of my highest consideration.

(Signed) Tariq AZIZ
Deputy Prime Minister

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Security Council

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S/1997/463
16 June 1997

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN AND
ITS IMPLICATIONS FOR INTERNATIONAL
PEACE AND SECURITY

SECURITY COUNCIL
Fifty-second year

Identical letters dated 16 June 1997 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to forward herewith a letter dated 15 June 1997 addressed to you by His Excellency Mr. Abdul Rahim Ghafoorzai, Minister for Foreign Affairs of the Islamic State of Afghanistan (see annex), transmitting the text of the first declaration of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), dated 12 June 1997.

I would like to refer, in this context, to documents A/51/914-S/1997/424, dated 2 June 1997 and an earlier document, S/1997/347, dated 1 May 1997.

I should be grateful if you would have the text of the present letter and its annex to which the text of the said declaration is appended circulated as a document of the fifty-first session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) A. G. Ravan FARHÂDI
Ambassador
Permanent Representative

97-16271 (E) 160697

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ANNEX

Identical letters dated 15 June 1997 from the Minister for Foreign Affairs of Afghanistan addressed to the Secretary-General and to the President of the Security Council

I have the honour to bring the following to your attention as well as to the notice of the members of the Security Council and other States members of the United Nations the following:

On 12 June 1997, the United Islamic and National Front for the Salvation of Afghanistan (UINFSA) issued its first declaration outlining essential concepts and major practical points with regard to the solution of the Afghan conflict.

The Islamic State of Afghanistan, for the first time since its establishment five years ago, is thus being given the mandate to take drastic and concrete measures for the promotion of the political peace process and the realization of democracy in the country.

The convening of the Grand Assembly (Loya Jirga), within the time-frame (six to nine months), will manifest a major step forward for all the Afghan people to determine their own political destiny.

The Islamic State of Afghanistan expects the United Nations to extend its full support to the process leading to the convening of the Grand Assembly (Loya Jirga), by assisting in the matter.

Further practical details on the assistance to be provided by the United Nations, however, will be communicated to you through the United Nations Special Mission to Afghanistan.

The cooperation of the Organization of the Islamic Conference has also been sought in the matter, in accordance with the resolutions of the General Assembly and of the Security Council on the situation in Afghanistan.

(Signed) Abdul Rahim GHAFOORZAI
Minister for Foreign Affairs of
the Islamic State of Afghanistan

APPENDIX

Declaration of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), dated 12 June 1997

For the purpose of consolidating the struggle of the people of Afghanistan against foreign aggression by way of further securing the national unity of the people of the country, aimed at putting an end to the foreign intervention,

In order to pave the way for the people of Afghanistan to exercise their right to self-determination,

With the goal of facilitating an early and complete return of peace and stability to the country by the immediate convening of sincere intra-Afghan dialogues conducive to the signing of a comprehensive peace agreement between the two conflicting sides in the Afghan war, under the auspices of the United Nations and of the Organization of the Islamic Conference (OIC),

With an aim of preparing the ground for the emergence of an Afghanistan finding its rightful position with high credibility among the countries in the region and in the world, enjoying friendly relations on the basis of mutual respect and fruitful cooperation with the international family of nations, in particular its neighbours, and standing committed to joining the global struggle against terrorism and drug trafficking,

In order to ensure democracy and human rights for all Afghan men and women, irrespective of religious, racial, ethnic and/or linguistic differences, based upon the recognized principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other related internationally accepted covenants in line with the tenets of Islamic Law,

With the intention of ensuring the supreme objectives of the historical Afghan Jihad (struggle for freedom), to implement the Islamic Law, to defend the territorial integrity, national sovereignty, independence and national unity of Afghanistan, as well as its national, cultural and historical values and honours, and,

While seeking the blessings of Almighty God, the establishment of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), as the highest authoritative entity - while in firm support of the Islamic State of Afghanistan - is proclaimed.

The Front declares the following:

1. The Front (UINFSA) is a composition of the following parties:

   - The National Islamic Movement (Junbish-i-Milli) of Afghanistan,

   - The Islamic Unity (Hezb-i-Wahdat-i-Islami) of Afghanistan,

   - The Islamic Society (Jamiat-i-Islami) of Afghanistan,

...

- The Islamic Movement (Harakat-i-Islami) of Afghanistan,

- The National Islamic Front (Jabha-i-Nejat-i-Milli) of Afghanistan,

- The Islamic Party (Hezb-i-Islami) of Afghanistan

(all joined by Afghan associations and non-governmental councils, cultural institutions, technocrats, scholars, religious leaders and all national loyal citizens of the country committed to defending Afghanistan and the rights of its people against foreign aggression, intervention and interference and also determined to contribute positively to the national efforts aimed at restoration of peace and normalcy in Afghanistan),

2. The Front (UINFSA) invites all patriotic intellectual Afghan personalities as well as social, cultural and political institutions, to join the UINFSA forum to broaden its ranks and voice their support for inaugurating an era of peace and stability in Afghanistan.

3. The Front (UINFSA) calls upon the Taliban to take into serious account the sufferings and miseries of the innocent civilian population in Afghanistan resulting from the protracted imposed war and to declare their readiness through joining a genuine intra-Afghan dialogue aimed at achieving a negotiated settlement, rather than pursuing the dangerous option of continuing war in Afghanistan.

4. The Front (UINFSA) stresses the necessity of introducing substantive changes in the composition of the Government of the Islamic State of Afghanistan required to further enhance the national unity of the country. The Government would thereby be entrusted to perform the following tasks:

(a) Implementation of the peace process in the country;

(b) Establishment of a provisional National Council, comprising scholars, national figures, clerics and technocrats residing within and outside Afghanistan to function as a provisional parliament pending the convening of a Grand Assembly (Loya Jirga);

(c) Drafting of a constitution, a legislation regulating political parties and an electoral law. The drafting will be a task undertaken by three independent expert commissions to be selected from among the members of the Provisional National Council;

(d) Convening of the Grand Assembly (Loya Jirga), with the cooperation of the United Nations and of the Organization of the Islamic Conference (OIC), within a period of six to nine months, which would, inter alia, set a date for general and free elections to take place in the country;

(e) Promoting a plan directed at the collection of arms as well as the setting up of a national army;

(f) Addressing immediately the present economic plight of the people.

*Note: UINFSA will promptly initiate negotiations with the Taliban aimed at achieving the aforesaid objectives, should they declare readiness to engage in a sincere and honest dialogue and agree on the formation of a broad-based transitional government.

5. The Front (UINFSA) requests the international community, and in particular the neighbouring Islamic countries, to support the national efforts in Afghanistan in search of an immediate, comprehensive and durable peace.

6. The Front (UINFSA), greatly supportive of the United Nations Special Mission to Afghanistan, headed by Dr. Norbert Holl, calls upon the United Nations to take a more responsive and bold stance on the cessation of foreign aggression, intervention and interference in the internal affairs of Afghanistan. This intervention is to be considered as the most outstanding factor in the continuation of the conflict and thereupon of the blatant violations of human rights particularly of women in Afghanistan.

7. The Front (UINFSA) calls upon the Government of Pakistan to renounce its hostile policy towards the Islamic State and the people of Afghanistan and to respond positively by expressing its readiness for direct negotiations dedicated to the establishment of fraternal relations with Afghanistan. The Government of Pakistan is expected to play a role in its part in the peace process and the cessation of hostilities in Afghanistan, instead of supporting one side of the conflict. The Front (UINFSA), in this context, reassures of the readiness by the Islamic State of Afghanistan.

Mazar-i-Sharif, Afghanistan
12 June 1997

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16 June 1997

ORIGINAL: ENGLISH

LETTER DATED 16 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF ALBANIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to communicate to you the following:

After the request of the Albanian authorities to some States members of the Organization for Security and Cooperation in Europe (OSCE) to participate with a military force in the protection of humanitarian activities in Albania, OSCE decided on 27 March 1997 to support the willingness of a number of countries to participate in such a force. The next day, on 28 March, I wrote to you concerning this matter asking for appropriate action from the Security Council (see S/1997/259).

The Government of Albania highly appreciated the prompt reaction of the Security Council through the adoption of its resolution 1101 (1997) of 28 March 1997 leading to the creation of the Multinational Protection Force (MPF) which started its activity in Albania, known as operation "Alba", on 15 April 1997.

Since the beginning of its activity, MPF, in accordance with its mandate, has implemented the important tasks assigned to it. It is important to point out that the Force is operating in the smoothest possible way. We are particularly happy to note that an excellent cooperation based on full mutual understanding has been established between the command of MPF, the Albanian authorities and the Albanian public, in general, which constitutes a solid basis for success in helping to alleviate and resolve the crisis.

Major improvements are noticed in the field of public order but numerous challenges still exist. The Albanian police force is still being reorganized thanks also to the welcoming foreign assistance and expertise in this aspect. They are getting stronger in combating crime. However, a serious threat still remains for public security in certain areas in the view of upcoming important events, namely the parliamentary elections, which are crucial for the future of the country. We all agree that the presence of the Force has contributed to the

normalization of the situation of the public order being impartial and neutral, and we think it necessary for this to continue.

In this context, taking into account the meeting of the Government of Albania, which agreed on the need for MPF to continue its activity in Albania for the future time-frame and considering paragraph 6 of the resolution 1101 (1997) of the United Nations Security Council which reads "... the operation will be limited to a period of three months from the adoption of the present resolution, at which time the Council will assess the situation on the basis of the reports ...", I would ask you to present to the Council the request of the Government of Albania to extend the presence of MPF in Albania for another three months. We expect that the Council will be able to decide appropriately on this matter.

May I ask your kind assistance so that the present letter may be circulated as a document of the Security Council.

(Signed) Pellumb KULLA
Permanent Representative

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NATIONS

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LETTER DATED 16 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit herewith a letter dated 15 June 1997 from Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, addressed to you, concerning practices of the Special Commission inspection team UNSCOM 194 intended to achieve aims that are unrelated to the mandate of the Special Commission or the relevant Security Council resolutions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 15 June 1997 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

I have read the letter dated 12 June 1997 from Mr. Ekéus, the Executive Chairman of the Special Commission, addressed to you, in which he accuses Iraq of denying the Special Commission inspection team UNSCOM 194 access to three sites on 10 and 12 June 1997. I therefore thought it necessary to write to you, and to inform Security Council members of the facts relating to the inspections carried out by that team, and the circumstances surrounding the three incidents in question. We hope that the Council will carefully consider this letter and draw appropriate and objective conclusions.

The members of the Council are aware that Iraq has serious and real concerns relating to Special Commission inspection teams' access to sites important to its sovereignty or national security. They are also aware that incidents of a similar nature took place in the first half of 1996. Since the Iraqi side has been keen to strike an objective balance between facilitating the tasks of the Special Commission under the relevant Security Council resolutions and Iraq's legitimate concerns over its sovereignty and national security, it took part in serious and sincere discussions with the Executive Chairman of the Special Commission, who visited Iraq from 19 to 22 June 1996. Those discussions achieved a balanced formula that allowed the inspection teams access to sensitive sites related to its duties, on the basis provided for in the joint statement of 22 June 1996, whereby "the Special Commission undertook that, in carrying out its mandate and exercising its rights under the relevant Security Council resolutions, it would operate with full respect for the legitimate security concerns of Iraq." The two sides agreed on a joint programme of action to intensify their work with the aim of making it possible for the Commission to report as soon as possible to the Security Council that Iraq had met its obligations under section C of resolution 687 (1991).

In October 1996, I agreed with Mr. Ekéus that joint work should concentrate on reviewing the files and working to close them. The missile file should be dealt with first, followed by the chemical file and the biological file. Work did in fact proceed along these lines in the months which followed.

However, the Special Commission altered this approach, and in March 1997, began to carry out large-scale inspections, the likes of which had not been conducted for several years, of sites related to national security, on the pretext of verifying alleged claims of the concealment of proscribed items and activities. The UNSCOM 182 inspection team led by Mr. Roger Hill, with Colonel Scott Ritter, the current Chief Inspector of UNSCOM 194, as Deputy Chief Inspector, arrived in Iraq. From 8 to 16 March 1997 the team carried out 22 inspections of sites related to national security and to the security of the Presidency of the State (a list of those sites is given in Appendix I). The Iraqi side did its best to ensure that those inspections were carried out appropriately, and in a manner that would convince the Special Commission that those sites did not contain any items proscribed under Security Council resolutions, as alleged by the intelligence sources of some States which provide the Special Commission with such fabricated information.

The many surprise inspections that were carried out did not detect any concealed proscribed items. Their findings validated the position of Iraq, which has repeatedly assured the Special Commission that it does not conceal any proscribed items, and that the sources of the Commission's information in this respect are tendentious and inaccurate.

On 29 May 1997 Mr. Rolf Ekéus sent a letter to Lt. General Amer Mohammed Rashid, the Minister of Oil, informing him of his intention to send an inspection team to investigate alleged mechanisms for the concealment of proscribed activities and items.

This surprised and concerned us, since it means that the Special Commission is unwavering in the accusations it has repeated over and over again with no concrete evidence to substantiate them. It also means that in spite of the many opportunities the Special Commission has been given to verify this matter, it has yet to be laid to rest. The Commission keeps repeating the same allegations after every inspection and verification mission. On my recommendation, Lt. General Amer Mohammed Rashid sent a letter dated 30 May to Mr. Ekéus indicating that the allegations of concealment were a matter which the Special Commission had addressed over an extended period through past inspections and interviews. The facts indicate that the Special Commission has not found any evidence to prove its suspicions or support the allegations of concealment. Lt. General Rashid asked Mr. Ekéus to postpone sending the aforementioned inspection team until the matter had been discussed at the periodic high-level meeting which I was due to hold with the Executive Chairman either this month or when the new Executive Chairman assumes his post, but Mr. Ekéus could not be dissuaded, and dispatched the inspection team to Iraq.

The Chief Inspector, Colonel Ritter, mentioned at the meeting held on 2 June 1997 that the mission of the team was to ascertain that concealment mechanisms do not currently exist. He requested interviews with officers of the armed forces who have no connection with the programmes covered by resolution 687 (1991), and said that he intended to inspect a number of sites. The day after its arrival, the team began to carry out inspections. While it was in Iraq, from 3 to 12 June 1997, the team inspected 40 sites (Appendix II). Those included sites directly related to the security of the Presidency of the State, sites belonging to the Ministry of Defence, and the Ba'ath Arab Socialist Party and the Security and Intelligence Services, in addition to other sites. Some of those sites had already been inspected by UNSCOM 182 in March 1997.

With regard to the incidents referred to in the letter dated 12 June 1997 from Mr. Rolf Ekéus addressed to the President of the Security Council, I would like to point out the following:

1. The first site: On 10 June 1997, Colonel Ritter requested and was granted access to the headquarters of the Iraqi Intelligence Service in Baghdad. He inspected one site which he subsequently said was not the one he had intended to inspect and requested access to the office of the political section of the Intelligence Service. As this contains highly confidential material, we did not grant this request.

2. The second site: On 12 June 1997, Colonel Ritter requested access to a site related to the security of the Presidency, which he had already inspected twice in July and August 1996. This time we did not grant access.

As regards the third site referred to in the letter, we are unsure as to which Mr. Ekéus has in mind. All we do know is that on 12 June 1997, prior to Colonel Ritter's request for access to the site mentioned in 2 above, he requested permission to use a road related to a Presidential site, without specifying the site designated for inspection. We suggested that he should use another road, but he objected, and cancelled the mission.

Our reason for denying the inspection team access to the two sites mentioned in 1 and 2 above is our serious concern that access to those sites is not for the purpose of implementing the mandate of the Special Commission under relevant Security Council resolutions, but rather to use the facilities available to the Special Commission under its mandate as a cover to detect the arrangements made for the security of Iraq, its leadership and the personnel involved. You and the members of the Security Council are well aware of the United States' position towards Iraq and its political system.

Our concern is increased by the fact that many of those who carry out inspection team missions are United States nationals, seconded to work with the Special Commission. Colonel Ritter, the Chief Inspector who insisted, with no justification, on gaining access to these two sites, is an officer in the United States army.

On this occasion, I should like to stress the following:

1. The allegations of the Special Commission regarding the concealment of proscribed items, and the existence of secret mechanisms for arranging this concealment are false, and the Commission has no concrete evidence to substantiate them. We have pointed out to the Special Commission that limited operations of no practical value were carried out in 1991 by Hussein Kamil and a very small number of individuals. Subsequent to August 1995, we made all the facts and information related to those operations available to the Special Commission, and it interviewed those involved, and visited the sites of concealment, over a period of several months.

Nevertheless, none of our efforts and sincere and transparent cooperation since August 1995 have affected the determination of the Special Commission to repeat these allegations. This makes us suspect that the aim is to keep matters in a state of flux, and justify the endless continuation of the embargo, which serves the well-known purposes of a certain State.

You will recall that last year Mr. Ekéus was repeating allegations that Iraq might retain an operational missile force. After Iraq had submitted concrete material evidence of the missiles that had been destroyed, and subsequent to the agreement I reached with Mr. Ekéus in February 1997, to the effect that the missiles should be analysed outside Iraq, in order to determine conclusively their material composition, such allegations were heard no more. However, so far the Special Commission has not provided any results from the process of analysis which it would appear has also become a bottomless pit.

Here I should like to refer to my letter dated 5 June 1997 to Mr. Ekéus on this matter.

2. Iraq, having allowed the inspection team to inspect 40 of the 43 sites to which the Chief Inspector, Colonel Ritter, requested access, cannot be described as uncooperative. The fact that we denied access to the sites which we have described above cannot be interpreted as a decision by the Government of Iraq to prevent the Special Commission implementing its mandate, as Mr. Ekéus alleges.

3. Given the repeated inquiries of Colonel Ritter when given access to sites related to the security of the Presidency as to the names of the officers responsible for those sites, the detailed tasks of all sections thereof, the men's ability to and methods of carrying out their duties, it became quite clear to us that the aim of gaining access to such sites was not to implement the mandate of the Special Commission, but rather to achieve other purposes, unrelated to the Special Commission's mandate and the relevant Security Council resolutions.

This was confirmed to us by his request for access to the site mentioned in 2 above, which he had inspected twice in 1996 under the pretext of investigating the issue of concealment. On neither occasion did he find anything to substantiate his allegations. Anyone with experience of intelligence operations knows that repeated access to such a site is for purposes of updating information about this site, and not in order to verify alleged concealment operations. The same applies to his request to gain access to the political section of the Iraqi Intelligence Service.

4. Iraqi interests call for cooperation with the Special Commission, in order to fulfil the requirements of section C of resolution 687 (1991), so that the Council may, pursuant to its responsibilities, begin to consider implementation of paragraph 22 of the aforementioned resolution. Therefore, any allegation that Iraq is not cooperating is completely illogical.

In accordance with the Charter of the United Nations and the relevant resolutions of the Security Council Iraq has the right to safeguard its national security. It hopes the Security Council, which has always stressed the necessity of respecting Iraq's sovereignty and territorial integrity, will adopt a concrete position embodying that recognition and balancing the rights of the Special Commission with Iraq's legitimate rights. Iraq also hopes that the Council will direct the Special Commission to act within the limits of its mandate, and carry out its work in a business-like and technical manner, without seeking to extend it. The Commission should also submit its final report to the Security Council stating the firm fact that Iraq has fulfilled all its obligations under section C of resolution 687 (1991), thereby enabling the Security Council to proceed quickly to consideration of the implementation of paragraph 22 of resolution 687 (1991).

Accept, Sir, the assurances of my highest consideration.

Tariq Aziz
Deputy Prime Minister

Appendix I

The sites inspected by the UNSCOM 182 team in the period 8-16 March 1997

Ser.	Date	Site	Location	Remarks
1.	8 March 1997	Special Security Apparatus Section	Baghdad	
2.	8 March 1997	Special Republican Guards Section	Baghdad	
3.	8 March 1997	Iraqi Intelligence Service Headquarters	Baghdad	
4.	9 March 1997	Special Security Apparatus Office	Baghdad	
5.	9 March 1997	Iraqi Intelligence Service Section	Baghdad	
6.	9 March 1997	Special Republican Guards Regiment	Baghdad	
7.	10 March 1997	Special Security Apparatus Office	Baghdad	
8.	11 March 1997	Iraqi Intelligence Service Headquarters	Baghdad	
9.	12 March 1997	Special Republican Guards Regiment	Baghdad	
10.	12 March 1997	Special Republican Guards Unit	Baghdad	
11.	14 March 1997	Salah al-Din Governorate building	Salah al-Din Governorate (Tikrit)	
12.	14 March 1997	College belonging to Ministry of Higher Education	Salah al-Din University (Tikrit)	Inspected jointly with Air Inspection Team (AIT) and UNSCOM 181
13.	14 March 1997	Special Republican Guards Regiment	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT and UNSCOM 181
14.	14 March 1997	Presidential site	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT and UNSCOM 181
15.	14 March 1997	Dairy Factory - private sector	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT and UNSCOM 181
16.	14 March 1997	Warehouses - Ministry of Trade	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT and UNSCOM 181
17.	14 March 1997	Security office	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT, UNSCOM 179 and UNSCOM 181
18.	14 March 1997	Office - Military Intelligence	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT, UNSCOM 179 and UNSCOM 181

Ser.	Date	Site	Location	Remarks
19.	14 March 1997	Office - Intelligence Services	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT, UNSCOM 179 and UNSCOM 181
20.	14 March 1997	Traffic Office - Ministry of the Interior	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT, UNSCOM 179 and UNSCOM 181
21.	15 March 1997	Presidential site	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT and UNSCOM 181
22.	16 March 1997	Special Republican Guards Regiment	Baghdad	
23.	16 March 1997	Special Republican Guards Brigade	Baghdad	
24.	16 March 1997	Grain silo - Ministry of Trade	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT
25.	16 March 1997	Workshop - Ministry of the Interior	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT
26.	16 March 1997	Regiment - Ministry of the Interior	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT
27.	16 March 1997	Technical secondary school - Ministry of Education	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT
28.	16 March 1997	Factory - Ministry of Industry	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT
29.	16 March 1997	Bread oven - private sector	Salah al-Din Governorate (Tikrit)	Inspected jointly with AIT

Appendix II

The sites inspected by the UNSCOM 194 team in the period 3-12 June 1997

Ser.	Date	Site	Location	Remarks
1.	3 June 1997	Special Republican Guards - Brigade	Baghdad	Inspected jointly with AIT
2.	3 June 1997	Special Republican Guards - Regiment	Baghdad	Inspected jointly with AIT
3.	3 June 1997	Special Republican Guards - Unit	Baghdad	Inspected jointly with AIT
4.	3 June 1997	Factory - Special Republican Guards	Baghdad	Inspected jointly with AIT
5.	3 June 1997	Warehouse - Special Security Services	Baghdad	Inspected jointly with AIT
6.	3 June 1997	Baath party garage	Central Baghdad	
7.	4 June 1997	Special Republican Guards - Regiment	West Baghdad	Inspected jointly with AIT
8.	4 June 1997	Special Republican Guards - Unit	West Baghdad	Inspected jointly with AIT
9.	4 June 1997	Special Republican Guards - Tank Battalion	West Baghdad	Inspected jointly with AIT
10.	4 June 1997	Special Republican Guards - Company	West Baghdad	Inspected jointly with AIT
11.	4 June 1997	Warehouse - Republican Guards	West Baghdad	Inspected jointly with AIT
12.	4 June 1997	Republican Guards - Unit	West Baghdad	Inspected jointly with AIT
13.	4 June 1997	Warehouse - Republican Guards	West Baghdad	Inspected jointly with AIT
14.	4 June 1997	Republican Guards Airport	West Baghdad	Inspected jointly with AIT
15.	4 June 1997	Missile Brigade - Ministry of Defence	West Baghdad	Inspected jointly with AIT
16.	4 June 1997	Military Court - Ministry of Defence	West Baghdad	Inspected jointly with AIT
17.	4 June 1997	Party Office	West Baghdad	Inspected jointly with AIT
18.	4 June 1997	Party Section	West Baghdad	Inspected jointly with AIT
19.	4 June 1997	Warehouse - Ministry of Defence	West Baghdad	Inspected jointly with AIT
20.	4 June 1997	Regiment - Ministry of Defence	West Baghdad	Inspected jointly with AIT
21.	5 June 1997	Special Republican Guards Regiment	Salah al-Din Governorate (Ba'iji)	Inspected jointly with AIT

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Ser.	Date	Site	Location	Remarks
22.	5 June 1997	An anti-aircraft battery - Special Republican Guards	Salah al-Din Governorate (Ba'iji)	Inspected jointly with AIT
23.	5 June 1997	Military Hospital - Ministry of Defence	Salah al-Din Governorate	Inspected jointly with AIT
24.	5 June 1997	Military Hospital - Ministry of Defence	Salah al-Din Governorate	Inspected jointly with AIT
25.	5 June 1997	Special Republican Guards Brigade	Salah al-Din Governorate	Inspected jointly with AIT
26.	7 June 1997	Security Office	Salah al-Din Governorate	
27.	7 June 1997	Security Office - Special Security Apparatus	Salah al-Din Governorate	
28.	7 June 1997	Special Republican Guards Regiment	Salah al-Din Governorate	
29.	7 June 1997	Special Republican Guards Company	Salah al-Din Governorate	
30.	7 June 1997	Special Republican Guards Office	Salah al-Din Governorate	
31.	8 June 1997	Special Security Apparatus Office	Baghdad	
32.	8 June 1997	Military Academy of the Ministry of Defence	Baghdad	
33.	8 June 1997	Special Republican Guards Unit	Baghdad	
34.	10 June 1997	Intelligence Service Headquarters	Baghdad	Inspected jointly with the UNSCOM 188 team
35.	10 June 1997	An Intelligence Service Section	Baghdad	Inspected jointly with the UNSCOM 188 team
36.	10 June 1997	Intelligence Service Headquarters	Baghdad	Inspected jointly with the UNSCOM 188 team
37.	11 June 1997	Special Republican Guards Battalion	Baghdad	
38.	11 June 1997	Special Republican Guards Brigade	Baghdad	
39.	11 June 1997	Special Republican Guards Regiment	Baghdad	
40.	12 June 1997	Special Republican Guards Regiment	Baghdad	